

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO.151 OF 2015

*(Shri Vishnu Maruti Aarate (deceased) thr. Lrs. Smt. Ambutai Mahadeo Suryawanshi Vs.
Smt. Sonabai Prakash Arate and others)*

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.

Court's or Judge's orders.

*Shri A.M. Kulkarni, Advocate with Shri Akshay Shinde, Advocate for
Appellant.*

Shri Atulkumar B. Deshkar, Advocate for Respondents.

CORAM: R.K. DESHPANDE, J.

DATE: 15th JULY, 2015.

Regular Civil Suit No.449 of 1987 filed by Yashwant and Prakash for possession of the land CTS No.460 to the extent of 18ft. x 35ft. was withdrawn in that suit counter claim was filed by the appellant in Second Appeal No.151 of 2015 for recovery of possession in respect of the portion admeasuring 15ft. x 18ft. from Yashwant. The counter claim was dismissed on 03.05.2008 and Regular Civil Appeal No.260 of 2008 challenging the pendency of appeal is dismissed on 16.08.2014. As a result, the appellant has failed in his claim to recover possession of 15ft. x 15ft. of land out of CTS No.460. There is no substantial question of law arises, the Second Appeal is dismissed.

In view of dismissal of the Second Appeal, Civil Application No.303 of 2015 does not survive and it accordingly stands disposed of.

JUDGE