

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

SECOND APPEAL NO.259 OF 2013

Anand Ganesh Vaidya

... Appellant

V/s.

Sahadeo Sadu Mandhare & Ors.

... Respondents

.....
Mr.J.S. Kapre, Advocate for the Appellant.

Mr.Jitendra Oak i/b. Mr.A.A.Garge, Advocate for the Respondents.

.....
CORAM : RAVI K. DESHPANDE, J.

DATED : JULY 7, 2015.

P.C.

The dispute in the Second Appeal pertains to a wall. The Courts below have held that the plaintiff has failed to establish ownership over the wall, whereas the respondents - defendants have, in a counter-claim, established title in respect of this wall. Accordingly, a declaration and injunction has been granted in respect of the wall. The Appellate Court has dismissed the Appeal. Both the Courts below have decided the matter on the basis of the sale-deed dated 26th May, 1879 at Exhibit-30 produced by the appellant - plaintiff and the map at Exhibit-68, prepared by surveyor. No substantial question of law arises. Second Appeal is dismissed.

(RAVI K. DESHPANDE, J.)