IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
(Civil Appellate Jurisdiction)

SECOND APPEAL NO. 540 OF 2014

(Smt. Tarabai Albaji Pawar Appellant
vrs
Chandrabhag Budha Badade and others Respondents)

Mr. Sham Walve, Advocate, for appellant
None of respondents.

CORAM : R.K.Deshpande, J.
DATED : 16th JUNE, 2015.

The suit filed by the plaintiff for partition and separate possession was dismissed by the trial Court and the judgment is confirmed in appeal. Hence, the plaintiff is before this Court.

The question of relationship of the plaintiff and the original owner of the property Shri Rayaji, has not at all been established. This is the finding of fact recorded by both the courts below.

The learned counsel for the appellant submits that only one witness is examined having knowledge about the relationship, but in the cross examination, he has clearly admitted that he did not read over his examination in chief in the form of an affidavit and he was not knowing the nature of dispute between the parties. The courts have considered the evidence and disbelieved it. No substantial question of law arises. The second appeal is dismissed.

(R.K.DESHPANDE, J.)

Rvjalit