

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO.400 OF 2013

*(Shri Chandrakant Baburao Katke Vs. Dnyanoba Dagadu Katke (deceased) thr. his Lrs
Shri Pandurang Dnyanoba Katke 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 Pratap Patil, Advocate for Appellant.

*Shri Drupad S. Patil, Advocate for Respondent Nos.1(a) to 1(h) and 2(a)
to 2(e).*

CORAM: R.K. DESHPANDE, J.

DATE: 20th JULY, 2015.

Regular Civil Suit No.56 of 1994 filed by the plaintiff for redemption of suit property and permanent injunction was dismissed by the trial court on 18.12.1999. Regular Civil Appeal No.112 of 2000 was dismissed by the Lower Appellate Court on 26.03.2013. Hence, this second appeal by the original plaintiff.

Both the Courts below have held that the appellant – plaintiff could not prove the title of Arjun, the vendor in respect of the suit property. The Courts have therefore, held that the right of redemption is not established. In view of this, no substantial question of law arises in this second appeal. The second appeal is dismissed.

In view of dismissal of the Second Appeal, Civil Application No. 1662 of 2013 does not survive and it accordingly stands disposed of.

JUDGE