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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

SECOND APPEAL NO.72 OF 2016

Ramchandra Yadav Mali (Mahajan) APPELLANT
VERSUS
Nirmalbai Vasudeo Mahajan and Others RESPONDENTS

.....

Mr. Siddhartha B. Yawalkar, Advocate for the appellant
Mrs. Warma h/f Mr. B. R. Warma Advocate for respondent No.1.

.....
[CORAM : SUNIL P. DESHMUKH, J.]

DATE : 13th DECEMBER, 2016

ORDER :

1. Heard learned advocates for the parties.
2. Upon hearing, a question that may fall for consideration as substantial question of law is as under:

“While mutation entries were effected in 1983 after death of husband of plaintiff with an intention that plaintiff shall not get share in the joint family property and she had been driven out of the house and some properties were sold, whether the suit instituted for partition by the plaintiff can be said to be within limitation for the reason that a notice had been issued seeking partition and in response to the same there had been refusal to partition?”

3. **Admit.**
4. Mrs. Warma, learned advocate waives notice for respondent No.1.

[SUNIL P. DESHMUKH, J.]

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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.1214 OF 2016
IN
SECOND APPEAL NO.72 OF 2016

Ramchandra Yadav Mali (Mahajan)

APPLICANT

VERSUS

Nirmalbai Vasudeo Mahajan and Others

RESPONDENTS

.....
Mr. Siddhartha B. Yawalkar, Advocate for the applicant
Mrs. Warma h/f Mr. B. R. Warma Advocate for respondent No.1.
.....

[CORAM : SUNIL P. DESHMUKH, J.]

DATE : 13th DECEMBER, 2016

ORDER :

1. Execution proceedings, if any, may be proceeded with, save delivery of possession.
2. Civil application stands disposed of.

[SUNIL P. DESHMUKH, J.]

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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.15437 OF 2016
IN
SECOND APPEAL NO.72 OF 2016

Nirmalbai Vasudeo Mahajan

APPLICANT

VERSUS

Ramchandra Yadav Mali (Mahajan) and Others

RESPONDENTS

.....
Mrs. Warma h/f Mr. B. R. Warma, Advocate for the applicant
Mr. Siddhartha B. Yawalkar, Advocate for respondent No.1.
.....

[CORAM : SUNIL P. DESHMUKH, J.]

DATE : 13th DECEMBER, 2016

ORDER :

1. Heard learned advocates for the parties.
2. For the reasons contained in civil application, the same stands granted in terms of prayer clause "B".
3. Civil application stands disposed of.

[SUNIL P. DESHMUKH, J.]

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