

Sequeira

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

CIVIL APPLICATION NO. 1611 OF 2013

In

SECOND APPEAL NO. 682 OF 2013

Along with

CIVIL APPLICATION NO. 254 OF 2015

(For restoration)

Shri Narsingdas Gurunajkidas Bairagi
Deceased through legal heirs
Smt.Laxmibai Rameshwar
@ Narsingdas Mishra & anr.

... Applicants /
Appellants

V/s.

Shri Gorakhnath Dagdushet
Ghoge & anr.

... Respondents.

Mr.Karan Thorat, for the Applicants in both C.A and Appellants.
Mr.Madhav Jamdar, for Respondent No.1.

*Coram : N.M. Jamdar, J.
Tuesday 28 June, 2016.*

P.C. :-

By order passed today the Appeal is admitted. The Respondent is in possession. Appeal is admitted on question of law as to whether Respondent – Plaintiff is bound by Judgment and Decree in Regular Civil Suit No.71 of 1987. Considering this

position there will be interim relief in terms of prayer clause (c). Civil Application No.1611 of 2013 is accordingly disposed of. As regards prayer clause (a) and (b) is concerned, since they amount to final relief they cannot be granted.

(N.M. Jamdar, J.)