

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

CIVIL APPLICATION NO. 1553 OF 2015

IN

SECOND APPEAL NO. 728 OF 2015

Smt. Sindhubai Shivaji Lokhande

... Appellant

Vs

Shri. Dinkar Tulshiram Shardul & Anr.

... Respondents

...

Mr. P. N. Joshi, for Appellant/Applicant.

Mr. Drupad Patil, for Respondent No. 1.

CORAM : N. M. Jamdar, J.

DATE : 20 APRIL, 2016

P.C. :

The Second Appeal is admitted by the order passed today. As regards the prayer clause (b) is concerned, the appellate court has recorded a finding that the applicant is not in possession of the property and it is the respondent who is in possession of the property. In the circumstances the prayer clause (b) as prayed for cannot be granted. However, case is made out for grant of prayer clauses (a) and (c). Accordingly, civil application is allowed in terms of prayer clause (a) and (c).

(N. M. Jamdar, J.)