

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABA

SECOND APPEAL NO. 374 of 2013

Parubai W/o Vishwanath Nagargoje & Anr.

...APPELLANTS

VERSUS

Bhagoji Mahada Nagargoje (DIED)

Through : Legal representatives and others

...RESPONDENTS

Mr M.S. Choudhary, Advocate for appellants

Mr V.V. Bhavthankar, Advocate for respondents No.1/1 and 3/1.

CORAM : NITIN W. SAMBRE, J.

DATE : 10th October, 2017

ORAL ORDER :

Having heard Shri Choudhary, learned Counsel for appellants, for some time, in my opinion, the appeal needs admission on the following substantial question of law :

Whether the lower Appellate Court was right in describing and allotting share of the present appellants having held that the the provisions of the Hindu Succession Act, 1956 are applicable; and provision of the Hindu Women's Right to Property Act, 1937 is not available to the appellants herein ?

2. **Hence Admit.**

3. Learned Counsel Mr Bhavthankar waives service of notice on admission of appeal on behalf of respondents No. 1/1 and 3/1.

4. The appellants undertake to file paper book within a period of six months from today. If they fail to file paper book within the stipulated period, the appeal shall stand dismissed, without further reference to the Court.

(NITIN W. SAMBRE, J.)

pjm