

SAS

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO.248 OF 2016

Jagannath Sitaram Mane	..Appellant.
V/s.	
Vijay Hanumant Jadhav & Ors.	..Respondents.
Mr.Rushikesh C.Barge for the appellant.	
Mr.Sujeet G.Kurup for the respondents.	

CORAM: NITIN W.SAMBRE, J.

DATE : DECEMBER 4, 2017

PC.:-

The appellant / original plaintiff filed Regular Civil Suit No.225/2008 which was decreed by judgment and order dated September 24, 2012 declaring the present appellant as owner of the suit property with directions to the respondents / original defendants to deliver the possession of the suit property to the appellant.

2. The respondents / defendants feeling aggrieved by the said judgment and order preferred Regular Civil Appeal No.11/2014 whereby the judgment and decree came to be set aside by order dated November 18, 2014 passed by the District Judge, Satara. As such, this

Second Appeal.

3. Heard learned counsel for the parties. In my opinion, from the record, it appears that the question of law arises is “Whether the lower Appellate Court has committed an error apparent on the face of record in recording a finding that the rent note dated March 28, 1921 is disputed document”. Hence admit. Hearing expedited.

4. The appellant to file paper-book within six months from today, failing which the appeal shall stand dismissed without further reference to the Court.

5. Mr.Kurup, learned counsel waives service for respondents.

5. Liberty to the parties to mention the matter after the paper-book is filed.

(NITIN W.SAMBRE, J.)