

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO. 475 OF 2016

Smt. Mangal Lalit Jain ... Appellant

Versus

Shri. Vasudev Atmaram Rothkar ... Respondent

Mr. Ajit Karwande for the Appellant.

Mr. Pratap Patil for the Respondent.

CORAM : S.J. KATHAWALLA, J.

DATED : 13th SEPTEMBER, 2017

P.C.:

1. Heard the Learned Advocates appearing for the parties. Following order is passed, by consent :

(a) The Judgment and Decree dated 06.11.2014 passed by the Appellate Court in Appeal No.214 of 2007 is set aside and the matter is remanded back to the Court of District Judge, Raigad, Alibag for a fresh hearing.

(b) The Appellate Court shall decide the Appeal afresh based on the evidence which is already available before the Court. However, the Appellant herein shall be allowed to rely upon the order passed by the Revenue (S.D.O.) Officer, Alibag dated 20.03.2017.

(c) The Appellate Court shall endeavour to decide the Appeal and pass Judgment within a period of eight weeks from the date of this order.

(d) Parties and/or their Advocates shall appear before the District Judge, Raigad, Alibag on 18.09.2017 at 11.00 a.m. and/or after producing a copy of this order before the Court, obtain necessary directions.

2. The above Second Appeal No.475 of 2016 is accordingly disposed off.

(S.J.KATHAWALLA, J.)