

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO. 608 OF 2015
WITH
CIVIL APPLICATION NO. 1342 OF 2015

Mr.Vilas Govind Chakorkar
since deceased through his LRs
Smt. Ulka Vishal Joshi and others

... Appellants

Versus

Mr.Vasudeo Bhau Chakorkar and others

... Respondents

Mr.Sarang Aradhye for the Appellant/Applicant.
Mr.Ajay Joshi for the Respondent No.1.

CORAM : S.J. KATHAWALLA, J.
DATED : 22nd AUGUST, 2017

P.C.:

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

(a) The impugned Judgment and Decree passed by the First Appellate Court dated 19.01.2015 is set aside.

(b) The matter is remanded back to the Appellate Court for fresh consideration of all the issues including the order passed below Exhibit 146.

(c) All contentions of the parties are kept open.

(d) The Appellate Court shall decide the Appeal within a period of eight weeks from the date of this order.

(e) The parties and/or their Advocates shall appear before the Appellate Court with a copy of this order on 28.08.2017 at 11.00 a.m. and obtain necessary directions.

(f) Parties shall be allowed to lead additional evidence, if any, before the Appellate Court.

(g) All concerned to act on an ordinary copy of this order duly authenticated by the Personal Assistant of this Court.

3. The above Second Appeal as well as Civil Application are accordingly disposed off.

(S.J.KATHAWALLA, J.)