

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.1004 OF 2016
 AND
 CIVIL APPLICATION NO.1262 OF 2016
 IN
 APPEAL FROM ORDER NO.1004 OF 2016

...

Chandrakant Sahebrao Bhosale	...Appellant
v/s.	
Sudhakar Pandit Mundhe & ors.	...Respondents

...

Mr.Hrishikesh Chavan i/b Kiran Mardhekar for the Appellant.
 Mr.Nitin P. Deshpande for Respondents Nos.1 to 3.

...

CORAM : A.A. SAYED, J.

DATED : 3 APRIL 2017

P.C.:

Inasmuch as the learned Counsel for the Appellant has pointed out that the issue of limitation was not raised by the Appellant/original Defendant, the learned Counsel for the parties are agreed to the following order being passed:

ORDER

- (i) The impugned order dated 26 June 2015 passed by the District Court, Satara is set aside;
- (ii) The Regular Civil Appeal No.486 of 2012 shall be heard afresh on its own merits and without being influenced by the impugned order;

2. The Appeal from Order is disposed of in the aforesaid terms. Civil Application does not survive and to stand disposed of.

(A.A. SAYED, J.)