

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**SECOND APPEAL NO.804 OF 2016
WITH
CIVIL APPLICATION NO.1594 OF 2016**

Smt. Suvarna Gunpal Chougule And Others ... Appellants
Versus
Smt. Indubai Gunpal Chougule And Others ... Respondents
.....
Mr. N.J. Patil a/w Mr. Aney Patil for the Appellants/Applicants.
Mr. V.B. Rajure for Respondent No.1.
.....

CORAM : S.C.GUPTE, J.

DATE : 9 JANUARY 2017

P.C. :

- . Heard learned Counsel for the parties.
- 2 The appeal is admitted on the following substantial question of law :
 - (i) Whether the First Appellate Court committed an error by interfering with the Trial Court's judgment and order which was especially based on documentary evidence on record by framing issue as to the identity of the legally wedded wife of Gunpal as between the Plaintiff and Defendant No.1 ?
- 3 At the request of both parties hearing of the appeal is expedited. Parties will be at liberty to mention the appeal for fixing a date of hearing in the week commencing from 13 February 2017.

4 Printing of paper book is dispensed with.

5 The Appellants shall file a private paper book within four weeks from today.

6 The Respondents waive service.

7 Civil Application No.1594 of 2016 seeks continuation of the injunction which has been operating in favour of the Appellants since 1994. The order of injunction, which was granted by the First Appellate Court on 17 September 2016, shall continue to operate during the pendency of the appeal.

8 The civil application is disposed of.

(S.C.GUPTE, J.)