

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION (CAS) NO. 338 OF 2017
IN
SECOND APPEAL NO. 406 OF 2015

(Gangabai Dattatraya Andhure & others Vs. Smt. Meena Ashok Borkar)

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri A. J. Kadu, Advocate for appellants.

CORAM : A.S.CHANDURKAR, J.

DATE : September 4, 2017

By this application it is prayed that the respondent be restrained from creating any third party rights in the suit property. In the application it is stated that the dispute pertains to the admissibility of sale-deed dated 10.5.1967. It is apprehended that the respondent may alienate the suit property during pendency of the appeal.

Reply has been filed on behalf of respondent opposing the prayer as made. It is stated that the respondent has clear title in respect of the suit property.

Considering the fact that the appeal has been admitted after framing a substantial question of law, it is necessary to protect the suit property during the pendency of appeal. Hence, the application is allowed in terms of prayer clause (1). Application is disposed of.

JUDGE