

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

Second Appeal No.41 of 2015
(Suresh s/o Purushottam Ekhar and another v. Govindrao s/o Ramaji
Maraskolhe)

Office Notes, Memoranda of Coram,
appearances, Court's orders or directions Court's or Judge's orders
and Registrar's order

Shri P.S. Kadam, Advocate for Appellants.

Coram : R.K. Deshpande, J.
Date : 11th January, 2017

The Trial Court passed a decree for possession of the suit property on the basis of title. It is the finding recorded that the plaintiff was forcibly dispossessed from the suit property on 4-7-2006 and the police complaint was made on 12-7-2006. The lower Appellate Court has concurred with the finding recorded by the Trial Court and the appeal has been dismissed. The original defendants are before this Court against the concurrent finding of fact.

The ownership of the plaintiff over the suit property is not disputed. However, a story was putforth by the defendants that the plaintiff himself delivered the possession of the suit property to the defendants on 4-1-2005, as the defendants lent money to the plaintiff. However, there is absolutely no evidence brought on record to substantiate such a plea. No substantial

question of law arises.

The second appeal is dismissed.

Judge.

Lanjewar