

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

CIVIL APPLICATION (CAS) NO.1135 OF 2017

IN
SECOND APPEAL NO.545 OF 2017

Rupchand s/o Upasrao Meshram

..VS..

Vijay s/o Santosh Kanoje and anr

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

Court's or Judge's Order

Shri S.G. Karmarkar, Counsel for the appellant.

CORAM : V.M. DESHPANDE, J.

DATED : OCTOBER 6, 2017.

1. This matter was heard yesterday and after hearing learned counsel Shri S.G. Karmarkar for the appellant and learned counsel Shri Jetha for the respondents, the appeal was admitted. Even the Court was about to grant the Stay also. However, it was noticed by this Court that though the reply to the application for Stay was available on record, the application for Stay was not tagged by the Office. Therefore, the matter was adjourned and is kept for today.

2. Today, learned counsel Shri S.G. Karmarkar for the appellant is present. Learned counsel Shri Jetha for the respondent is absent.

3. Since the appeal involves substantial questions of

law, which are formulated by this Court on 5.10.2017 and the appellant, as per the submission of learned counsel Shri S.G. Karmarkar for the appellant is in possession of the suit property, there shall be Stay to the impugned judgment and decree passed by both both the Courts below during the pendency of the appeal.

4. The application is disposed of.

JUDGE

!! BRW !!

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