

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

CIVIL APPLICATION NO.140630/2017 IN
SECOND APPEAL NO.418/2009

Namdeo Narayanrao Surkar ..vs.. Sau. Sunanda Pandurang Walke & Ors.

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

Court's or Judge's orders.

Mr. J. A. Anthony, Advocate for applicant

CORAM : V.M. DESHPANDE, J.

DATED : NOVEMBER 28, 2017

1. This is an application for early hearing. This application is moved by the appellant-original plaintiff.

2. Heard Mr. Anthony, learned counsel for applicant. None appears for the non applicant, though served.

3. In view of the substantial question of law that is formulated at the time of admission and in view of the fact that there exists Commissioner's report (Exh.-38) and the applicant's case is based on easement of necessity to approach his agricultural field coupled with the fact that the appeal is of the year 2007, the applicant has made out a case for early hearing.

In view of above, the application is allowed.

Registry is directed to place this second appeal in the list of Final Hearing after Christmas Vacation.

The application stands disposed of.

JUDGE

kahale