

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

CIVIL APPLICATION NO.13643 OF 2018 IN
SECOND APPEAL NO.343 OF 2016

Bainabai Madhavrao Vaidya (Bansode) ...APPELLANT

VERSUS

Tulasabai Rustumrao/ Madhavrao Bansode
and others ...RESPONDENTS

.....
Shri S.B. Ghatol, Advocate holding for
Shri U.M. Maske, Advocate for applicant
Shri M.P. Kale, Advocate for respondents
.....

CORAM: A.M. DHAVAL, J.

DATED : 2nd November, 2018.

ORAL ORDER :

1. Heard learned Advocates. The appeal is yet to be admitted. The applicant seeks amendment of the appeal memo and addition of additional substantial questions of law.

2. As it is commonly found, the concept of substantial questions of law has not been understood and is never followed. The appeal memos are drafted like appeal memos in First Appeals.

3. However, since the appeal is yet to be admitted, addition of new grounds deserves to be allowed. As far as Ground No.2 and 3 are concerned, those cannot be raised as substantial questions of law. Hence, except Ground No.2 and 3, the application is allowed to add other grounds.

4. Civil Application is disposed of.

5. Other Civil Applications to be heard along with main appeal. List the Appeal on 3rd December 2018.

(A.M. DHAVALA)
JUDGE

fmp/