

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

CIVIL APPLICATION (CAS) NO.1316 OF 2017
IN
SECOND APPEAL ST. NO.10940 OF 2017

Sunanda Lakhuji Atram, Pombhurna, Dist. Chandrapur and ors.

-vs-

Lata Kaoduji Burande, Gondpipri, Dist. Chandrapur and ors.

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

Court's or Judge's Orders.

Shri P. A. Gode, Advocate for applicants/appellants.
Shri G. H. Sharma, Advocate for non-
applicants/respondents.

CORAM : A.S.CHANDURKAR, J.

DATE : June 12, 2018.

Perused the application. The reasons for cause of delay are mentioned in paragraph 2 of the application.

The prayer as made is opposed by the learned counsel for the non-applicants. However, considering reasons mentioned, the delay in filing the appeal stands condoned.

Civil Application is allowed and disposed of.

SECOND APPEAL ST. NO.10940 OF 2017

The learned counsel for the respondents submits that in view of judgment of Full Bench in *Prabhakar Sambhu Chaudhary vs. Laxman Baban Mali and ors. 2016(3) Mh.L.J. 202* it is not necessary to frame a substantial question while considering the second appeal.

Considering the aforesaid decision, the Second Appeal is permitted to be converted into an appeal under Section 96 of the Code of Civil Procedure, 1908 read with Section 72(4) of the

Maharashtra Public Trusts Act, 1950. Necessary amendment be carried out within one week.

JUDGE