

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

SECOND APPEAL NO.520 OF 2017

The Akola Municipal Corporation, Thr. Its Commissioner, Akola, Tq. and Dist. Akola

-vs-

Purushottam Punjabrao Gawande, Dahigaon Gawande, Dist. Akola

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

Court's or Judge's Orders.

Dr Anjan De, Advocate for appellant.
Shri O. Y. Kashid, Advocate for respondent.

CORAM : A.S.CHANDURKAR, J.

DATE : June 25, 2018

In addition to the substantial question of law framed on 13/03/2017, the following substantial questions of law also arise for consideration :

I) Whether the order passed by the trial Court below Exhibit-1 in exercise of powers under Order-XI Rule 21 of the Code of Civil Procedure, 1908 is after giving reasonable opportunity the the defendant ?

II) Whether the judgment of the appellate Court is in accordance with the mandate of provisions of Order-XLI Rule 31 of the Code of Civil Procedure, 1908 as laid down in C. Venkata Swamy vs. H. N. Shivanna (Dead) By LR and anr. (2018) 1 SCC 604 ?

Put up for further consideration on **09/07/2018**.

Civil Application No.743 of 2018

The appellant is permitted to amend the memo of appeal as prayed.

Civil Application is allowed in terms of prayer clause (i).

JUDGE