

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

CIVIL APPLICATION (CAS) NO.850 OF 2018
IN
SECOND APPEAL NO.722 OF 2017

Bhanudas s/o Shyamraji Raut
-vs-
Prithwiraj s/o Rajeram Dehankar 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 A. S. Kilor, Advocate for appellant.
Shri Sunil V. Manohar, Senior Counsel with Shri Alok
Daga, Advocate for respondent Nos.1 and 2 /applicants.

CORAM : A.S.CHANDURKAR, J.
DATE : July 13, 2018

By this application it is prayed that in addition to the issues as directed to be decided by the first appellate Court an additional issue with regard to the readiness and willingness of the plaintiff in completing the agreement in question deserves to be framed.

The learned counsel for the appellant does not oppose this request.

In view of aforesaid, in addition to the three issues as framed in paragraph 15 of the order dated 29/06/2018 an additional issue namely : *Whether the plaintiff has proved his readiness and willingness to perform his part of the agreement under Section 16 of the Specific Relief Act, 1963* is framed.

Civil Application is allowed and disposed of.

JUDGE