

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.
Second appeal No.493/2017

Parasnath s/o Tukaram Bawangade V/s Kasabai d/o Tukaram Bawangade

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

Court's or Judge's Orders.

Shri J.M. Shamkuwar, Advocate for the applicant.
Shri S.W. Sambre, Advocate for the respondent.

CORAM : A.S.CHANDURKAR, J.
DATE : 18/06/2018.

Heard.

Admit on the following substantial question of law:

Whether the pleading that the Gift Deed dated
15-3-1996 was a fraudulent document and whether the evidence
on record led by the parties is sufficient for decreeing the suit for
cancellation of the Gift Deed?

Shri S.W. Sambre, learned Counsel waives notice on
behalf of respondent.

Liberty to apply for hearing after the record and
proceedings are received.

Civil Application (S) No. 1336/2017

By this application, the applicant prays that the
decree passed by the trial Court be stayed during the pendency
of the appeal. The applicant is in possession of the suit property.
Hence, during the pendency of the appeal execution of the
decree shall remain stayed. However, the applicant shall not
create any third party right in the suit property.

Civil Application is allowed and disposed of.

JUDGE