

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

CIVIL APPLICATION (CAS) NO.1552 OF 2017
IN
SECOND APPEAL ST. NO.26197 OF 2016

Madhukar s/o Kashiram Deogirkar (Dead) Thr. LRs Shashikala wd/o Madhukar Deogirkar and
ors.

-vs-

Dilip s/o Vithobaji Waghmare, Umred, Nagpur

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

Court's or Judge's Orders.

Shri P. S. Tiwari, Advocate for applicants.
Shri S. M. Patrikar, Advocate for respondent.

CORAM : A.S.CHANDURKAR, J.
DATE : August 30, 2018

Considering reasons mentioned in the application,
the delay of two days in filing the Second Appeal is
condoned.

Civil Application and allowed and disposed of.

Second Appeal St. No.26197/2016

Heard.

The following substantial question of law arises for
consideration :

*“ In the light of the fact that the original defendants
had filed cross-objection below Exhibit-8 for challenging
the finding recorded by the trial Court as regards
agreement dated 06/06/2000 being proved and this cross-
objection not having been decided by the appellate Court,
whether the judgment of the appellate Court stands*

vitiated ? ”

Shri S. M. Patrikar, learned counsel waives notice on behalf of the respondent.

Put up for further consideration on **17/09/2018**.

JUDGE

Asmita Adwait
Bhandakkar

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Adwait Bhandakkar
Date: 2018.08.31 10:50:09
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