

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

APPEAL FROM ORDER NO. 899 OF 2016

Ramchandra Shrirang Patil

...Appellant

Vs.

Shri Shamrao Baji Patil & Ors.

...Respondents

Mr. Anilkumar Patil for Appellant.

Mr. Shivaji A. Masal for Respondents.

CORAM : S.C. GUPTE, J.

DATE : 19 AUGUST 2019

P.C. :

Heard learned Counsel for the parties. Rule. Rule taken up for final hearing forthwith by consent of parties.

2 This appeal from order challenges an appellate order passed by the District Court at Sangli rejecting the judgment and decree passed by the Civil Judge, Junior Division, Kavathe Mahankal and remanding the matter to the trial court with directions to frame issues *inter alia* in respect of title and ownership.

3 After the matter is heard at some length, it is agreed between the parties that no further issues need to be framed in the matter. The trial court has correctly framed the issues. It is agreed between the parties that the appeal court may instead hear and finally dispose of the appeal on the basis of the evidence led before the trial court.

4 The impugned order of remand on quashing and setting aside

of the trial court's order is, accordingly, quashed and set aside and Civil Appeal No.96 of 2014 is remanded to the District Court at Sangli for decision on merits.

5 The appeal from order is accordingly disposed of.

(S.C. GUPTE, J.)