

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

SECOND APPEAL NO.460 OF 2019

Ramakant Navji Patil .. Appellant
Vs.
Laxmibhai Navji Patil & Ors. .. Respondents

Mr.Nitin P. Deshpande for the appellant.
None for the respondents.

***CORAM : R.D.DHANUKA, J.
DATE : 19th August 2019***

P.C.:

. By this second appeal filed under Section 100 of the Code of the Civil Procedure, 1908, the appellant has impugned part of the judgment and decree dated 4th February 2019 passed by the learned District Judge, Raigad-Alibag to the extent of 1/6th undivided share in the suit properties and the lands Survey Nos.24 and 24/1 and not accepted the case of the appellant that those properties are self-acquired properties of the appellant.

2. In so far as the judgment and decree passed by the trial Court is concerned, the trial Court has rejected this plea in respect of all properties including the said properties bearing Survey Nos.24 and 24/1. The appeal Court has reversed the judgment and decree in respect of the entire suit properties except the suit properties bearing Survey Nos.24

and 24/1 on the ground that the appellant could not prove the case that the said two properties were self-acquired properties. It was the case of the appellant that he was having independent lands and out of his income, he had purchased those properties bearing Survey Nos.24 and 24/1. The appellate Court has rightly come to the conclusion that there was nothing on record to establish that the said acquisition is self acquisition by a member of Hindu joint family.

3. Mr.Deshpande, learned counsel for the appellant could not satisfy that there is any infirmity in the views taken by two courts below that those two properties are self-acquired properties. No substantial question of law arises in this second appeal. Second appeal is devoid of merit and is accordingly dismissed. No order as to costs.

R.D.DHANUKA, J.