

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

CIVIL APPLICATION (CAS) NO.465 OF 2019

IN

SECOND APPEAL NO.186 OF 2019

(Udhao s/o Marotrao Sapkal ..vs.. Ajay @ Kishor s/o Ramchandra Kale and others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri D.R. Bhoyar, Counsel for the appellant.

CORAM : ROHIT B. DEO, J.

DATED : 03-05-2019

This application is taken out for amending the memo of appeal and to raise additional substantial questions of law.

2. The application is allowed.
3. The memo of appeal be amended appropriately.

Second Appeal 186 of 2019

Issue notice on the following proposed substantial question of law :

Whether the counter-claim of respondents 3 to 5 for declaration simplicitor is hit by the proviso of Section 34 of the Specific Relief Act, 1963 in view of fact that no further relief is claimed ?

The notice is returnable on 14-6-2019.

Civil Application 423 of 2019

Issue notice, returnable on 14-6-2019.

2. In the interregnum, there shall be interim relief in terms of prayer clause (1).

JUDGE

adgokar