

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

SECOND APPEAL 65 OF 2019

(Uttam Narayan Kakade..vs.. Smt. Ramrao Kakade & ors)

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

Court's or Judge's orders.

Shri. N.S. Deshpande, counsel for petitioner.

CORAM: ROHIT B. DEO, J.

DATE: 22nd MARCH, 2019.

Suit for partition and separate possession is decreed against the appellant who is the original defendant.

2 The judgment and decree of the trial Court is confirmed in Regular Civil Appeal 32 of 2014 which is dismissed.

3 Shri N.S. Deshpande, the learned counsel would submit that the question of law which is involved is whether the property which fell to the share of Shri Narayan Kakade – the father of original defendant would be self acquired or ancestral. The plaintiffs are the legal heirs of Ramrao the deceased son of Narayan Kakade.

4 Both the Courts have concurrently held that the property would be ancestral qua the sons. This finding is unexceptionable on facts and in law.

5 The appeal does not involve any question of law much less substantial question of law and is dismissed with no orders as to cost.

JUDGE