

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

SECOND APPEAL 338 OF 2019

Khushal s/o Namdeorao Gedam

Vs.

Maya w/o Yadavrao Rangary

WITH

SECOND APPEAL 339 OF 2019

Khushal s/o Namdeorao Gedam

Vs.

Ruprao s/o Sambhaji Wankhede

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

Court's or Judge's orders.

Shri K.K. Gour, counsel h/f Shri Y.B. Mandpe, counsel for the appellant.
Shri N.V. Fulzele, counsel for the respondent.

CORAM: ROHIT B. DEO, J.

DATE: 27.08.2019.

1. *Prima facie*, the impugned judgment is unexceptionable.

2. However, some submission is made by the learned counsel for the appellant that equity needs to be balanced in as much as, the amount which the trial Court has directed the original-defendant to pay towards development charges, is on the higher side.

3. The learned counsel for the appellant Shri K.K. Gour, counsel h/f Shri Y.B. Mandpe, states that possession

of plot 48 which the trial Court has ordered the defendant to hand over to the plaintiff, shall be delivered to the plaintiff in 48 hours. The statement is accepted.

4. In the interregnum, call for record and proceedings.

5. The Registry shall ensure that the record and proceedings is received in three days.

6. Stand over to 04/09/2019 for further consideration.

JUDGE