

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

SECOND APPEAL NO. 515 OF 2019

Shri Bhivsan s/o Narayan Zade

..vs..

Smt. Tarabai Sakharam Raspalle and ors.

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

Court's or Judge's orders

Ms. A.S. Wanjari, Adv. h/f Shri M.A. Shankarlal, Adv. for
appellant.

CORAM : VINAY JOSHI, J.

DATED : 29th NOVEMBER, 2019

Heard.

Respondent's Regular Suit for declaration of
ownership and possession came to be decreed. The
appellant's/defendant's First Appeal was dismissed.

Issue notice, returnable on 31.01.2020, on
following substantial questions of law :

- “(i) Whether both the Courts below erred in holding
plaintiff's ownership without document of title?
- (ii) Whether both the Courts below misread the oral
and documentary evidence while holding
plaintiff's ownership?”

CIVIL APPLICATION (CAS) NO. 1010 OF 2019

Heard.

The appellant/defendant is seeking stay to the

execution and implementation of possession decree. Two Court's concurrently hold respondents ownership. Today, notice is issued by framing substantial questions of law. The impugned decree is about handing over the possession of house property.

The execution and implementation of impugned decree is stayed till further orders, subject to appellant depositing monthly Rs.1,000/- (Rupees One Thousand only) in this Court on or before 10th day of each month commencing from 1st December 2019 till the disposal of appeal.

Issue notice, returnable on 31.01.2020.

JUDGE

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