

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

SECOND APPEAL NO. 445 OF 2019

Tarachand Kisan Wankhade Through Legal Heirs Vasant Tarachand Wankhade
..Versus...
Supada Rambhau Rakhonde

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

Court's or Judge's orders

Shri P.S. Kshirsagar, Counsel for appellant
Shri R.D. Karode, Counsel for respondent

CORAM : AVINASH G. GHAROTE, J.

DATE : 10/02/2020

Mr. Ram Karode, learned counsel for the respondent, makes a statement that the judgment and decree as passed by the Trial Court, dated 07.07.2010 in R.C.S. No.45/2007 and confirmed by the Appellate Court in R.C.A. No.70/2010 by its judgment dated 09.12.2015, has already been executed and the encroachment has been removed and possession has been delivered to the respondent. In support of the same, he places on the possession receipt dated 14.06.2018 at Exh. 49, in Regular Darkhast No. 11/2010 which is taken on record and marked as 'X' for identification.

Mr. P.S. Kshirsagar learned counsel for the appellant accepts the same and submits that the second appeal has now become infructuous and he does not want to press the same, on instructions.

Accepting the statement made by the learned Counsel for the appellant, the Second Appeal is disposed of as infructuous. No order as to costs.

JUDGE

J.Pethe