

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**922 SECOND APPEAL NO.238 OF 2021
WITH
CA/5356/2021 IN SA/238/2021**

SHIVAJI RAMBHAU BANGAR
VERSUS
NIRMALABAI SAHEBRAO PATIL

...
Advocate for Appellant : Mr. N.R.Thorat h/f Mr. D.R. Kale Patil
Advocate for Respondent : Ms. Hiwrale Savita P.& Wagh Rajendra H.
...

CORAM : SMT.VIBHA KANKANWADI, J.
DATE : 09-09-2021.

ORDER :

1. Learned Advocate for the respondent submits that he has not been supplied with the copies of the memo and annexures, if any.
2. Learned Advocate for the appellant is directed to give those documents to the learned Advocate for the respondent.
3. It is further to be noted that on 15-06-2021 when the submissions were made on behalf of the appellant, this Court has framed substantial questions of law. Though it appears that the statement has not been included that the second appeal is admitted, yet taking into consideration the order that was passed on the appeal as well as in the civil application for Stay, it can be seen that this Court

was in favour of admitting the second appeal and, therefore, that order is now taken as an admission of the second appeal and in view of the same, the ad-interim order which is passed by this Court on 15-06-2021 will have to be confirmed in view of prayer Clause "B".

4. In view of the above, the application stands disposed of in view of this order granting prayer in terms of prayer Clause "B".

5. Since the second appeal is admitted in view of the substantial questions of law framed by this Court in the order dated 15-06-2021, the matter need not be placed for admission again. The second appeal to wait for its turn for the final hearing.

(SMT. VIBHA KANKANWADI)
JUDGE

vjg/-