

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

914 CRA NO.158 OF 2019

ANJALIBAI SUNIL BHOSALE AND OTHER  
VERSUS  
BAPURAO ARJUNRAO TARKE AND ANOTHER

...  
Advocate for Petitioners : Mr. Pathan Hamzakhan I.  
Advocate for the respondent no. 2 : Mr. Abhijit G. Choudhari  
...

**CORAM : MANGESH S. PATIL, J.**

**DATE : 6 MAY 2022**

**PC :**

This is a revision under Chapter 12 of the Bombay High Court Appellate Side Rules against the order passed by the Taxing Master holding the first appeal to be under-valued.

2. Considering the order passed by the Taxing Master, coupled with the fact that the first appeal is to be heard on merits, in my considered view, it would be appropriate if the issue is kept open, to be considered and decided by the court itself.

3. The revision is partly allowed. The impugned order is quashed and set aside. However, the issue regarding valuation of the appeal would be gone into and decided at the time of deciding the first appeal and depending upon the decision, the appellant would be under an obligation to deposit the court fees.

**[ MANGESH S. PATIL ]  
JUDGE**

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