

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**SECOND APPEAL NO.130 OF 2017
WITH
CIVIL APPLICATION NO.119 OF 2017
IN
SECOND APPEAL NO.130 OF 2017**

Shri. Pandurang Ramji Mahar (Deceased) & Anr. ...Appellants
vs.

Smt. Mukta Ko Rangu Mahar (Deceased) & Ors. ...Respondents

Mr. Sachin S. Punde for the Appellants.
Mr. Suraj Kudalkar, for Respondent No.8

CORAM : NITIN W. SAMBRE, J.

DATED : 17th OCTOBER, 2022

P.C.:

1. Heard.
2. In my opinion following question of law warrants consideration.
3. Whether the properties mentioned in plaint, identified as properties nos. 1-A and 1-B, which are re-granted under the provisions of Maharashtra Inferior Village Watans Abolition Act, can be termed as self-acquired or ancestral one?
4. Hence, **Admit.**
5. Paper book to be filed within six months.

6. Mr. Kudalkar waives service of notice on behalf of the respondent no. 8.

CA/119/2017

7. Heard.

8. As regards suit properties 1-A and 1-B are concerned, the respondents are restrained from creating 3rd party interest till the decision of the second appeal, in view of the aforesaid substantial question of law, as properties are re-granted under Maharashtra Inferior Village Watans Abolition Act can be prima facie inferred.

9. Civil Application stands allowed in above terms.

(NITIN W. SAMBRE, J.)