

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

SECOND APPEAL NO. 94/2022

Kuldeep Jagannath Gawande (dead) thr. LR's Kanchanmala wd/o Kuldeep Gawande and others. **Vs.** Manohar s/o Chandrabhanji Shelke.

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

Court's or Judge's orders

Shri J.J. Chandurkar, Advocate for appellant.
 Shri V.G. Palshikar, Advocate for respondent.

CORAM : SMT. M.S. JAWALKAR, J.
DATED : 13/12/2022.

Heard.

Admit on the following substantial
 questions of law:-

“1) Whether the judgment passed by the Appellate Court is vitiated; inasmuch as the finding by the trial Court to the effect that the newspaper reports do not cause disrepute, was not challenged in the cross-objection by the plaintiff?”

2) Whether the plaintiff's claim was liable to be rejected inasmuch as the news paper item published in Exh.30 and Exh. 31 were found to have been published only as a reply of Exh. 32 and Exh. 33, coupled with the fact that they were not found to be defamatory by the trial Court?”

CIVIL APPLICATION (CAS) NO. 672/2021

The present application is filed for grant of stay.

The learned counsel for the appellant makes a statement that he has already deposited

half of the amount and there is no dispute on this submission as the respondent has already withdrawn the said amount.

For the reasons stated in the application, the present civil application is allowed in terms of prayer clause- (1), till disposal of the appeal.

JUDGE

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