



THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION (CAS) NO. 1403 OF 2023
IN
SECOND APPEAL NO. 365 OF 2023

SINDHUTAI VINAYAKRAO WANKHADE

...VERSUS...

REKHATAI UDHAVRAO TAKARKHEDE

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

Court's or Judge's order

Shri A.P.Kalmegh, Advocate for appellant.

CORAM : SMT. M. S. JAWALKAR,J.

DATE : 23rd OCTOBER, 2023

As the notices are yet to be issued, the application is allowed.

2. Necessary amendment to be carried out forthwith.
3. Accordingly, the application stands disposed of.

SECOND APPEAL NO. 365 OF 2023

Issue notice to the respondent, returnable within three weeks, on the following substantial questions of law:-

“(i) Whether the learned Courts below are justified in overlooking that the source of income is necessary concomitant to determine the ownership of property ?

(ii) Whether the learned Courts below were justified in holding that the deceased father of the appellant Shri Laxmanrao Takarkhede is absolute owner of the suit property and thereby competent to dispose of the same as per his own wish ?

(iii) *Whether the learned Courts below were justified in holding that the suit property is not ancestral property ?”*

CIVIL APPLICATION (CAS) NO. 1345 OF 2023

Issue notice to the respondent, returnable within three weeks.

2. In the meanwhile, the parties to maintain status-quo as on today.

(Smt. M.S. Jawalkar, J.)

B.T.Khapekar