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**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 2062 OF 2024 IN
SECOND APPEAL NO. 371 OF 2018**

Kantabai Prabhaji Deokhale
and others

Applicants

Versus

Tarabai Bhausaheb Wadekar
and others

Respondents

Mr. P. N. Sonpethkar, advocate for the Applicants

Mr. P. F. Patni, advocate for Respondent No.1

Mr. A. P. Bhandari, advocate for Respondents No.3 & 4 in the
Second Appeal.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 16th February, 2024

PC :

The learned Counsel Mr. Patni for Respondent in this Civil Application - Tarabai Bhausaheb Wadekar, who is original contesting respondent no.1 in the appeal, submits that the respondent no.1 is not having objection to the extent of execution of the Will deed dated 06.11.2020. However, learned Counsel for Respondent No.1 pointed out that what would be the effect of the said Will deed can be looked into at

the time of final hearing of the Second Appeal.

Therefore, when the respondent no.1, who is contesting the appeal, has admitted execution of the Will deed, there is no need to remand the matter back to the trial Court for leading any evidence in respect of the aforesaid Will deed. The effect of the aforesaid Will deed will be considered at the time of final hearing of the Second Appeal.

Accordingly, Civil Application, at this juncture, stands rejected and disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

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