

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

**943 SECOND APPEAL NO. 345 OF 1992
WITH
FIRST APPEAL NO. 449 OF 1996
WITH
CIVIL APPLICATION NO. 7107 OF 2022
IN FA/449/1996
WITH
CIVIL APPLICATION NO. 7108 OF 2022
IN FA/449/1996
WITH
CIVIL APPLICATION NO. 8104 OF 2024
IN FA/449/1996**

**NARHARRAO MADHAVRAO TUNGAR.
VERSUS
SHAMRAO MADHAVRAO TUNGAR.**

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Mr. Natu Sharad V., Advocate for Appellant No.1/e,
Mr. Prashant R. Katneshwarkar, Senior Advocate i/b Mr. Anuj
Fulfagar, Advocate for Respondents in Second Appeal.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 22/08/2024.

P. C. :

1. The learned counsel Mr. Godhamgaonkar filed a pursis alongwith the acknowledgment of the appellants in all these appeals mentioning that he is discharging his appearance in first appeal. The said pursis is taken on record and the appearance of learned counsel Mr. Godhamgaonkar stands discharged.

2. Vide order dated 08/08/2024 the report of Registry was called as to whether the first appeal can be sent to District Court for disposal according to law due to enhancement of pecuniary jurisdiction. Accordingly, the Registry submitted the report stating that the First Appeal No. 449 of 1996 needs to be sent to concerned District Court on account of enhancement of pecuniary jurisdiction. As such, First Appeal No.449 of 1996 be sent to concerned District Court alongwith all the pending civil applications and cross-appeals.

3. All the contentions in respect of abatement of entire appeal as contended by learned counsel for respondent No.1/B are kept open and the concerned District Court shall decide the matter on its own merit.

4. The parties are directed to appears before the concerned District Court on or before 05/09/2024.

5. The learned District Court shall decide First Appeal No.449 of 1996 as early as possible.

6. At the request of learned counsel for the respondent, list other connected matters on 29/08/2024.

(SANDIPKUMAR C. MORE, J.)