



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

SECOND APPEAL NO. 238 OF 2023
WITH
CIVIL APPLICATION NO. 15318 OF 2023
IN SA/238/2023

Kamalbai Ramrao Mane

...Appellant

VERSUS

Parmeshwar Narayan Jshingare

....Respondent

...

Mr. M. K. Bhosale h/f Mr. S. N. Pawde, Advocate for
Appellant

Mr. S. K. Chavan h/f Mr. V. U. Pawar, Advocate for
Respondent

...

CORAM : R.M. JOSHI, J

DATE : JANUARY 05, 2024

PER COURT :

1. During course of hearing, without prejudice to the rights and contention of the parties, Counsels appearing on behalf of both sides made joint request to set aside the impugned judgment and order passed by First Appellate Court and for remittance of Appeal for decision afresh.

2. In view of above, impugned and decree dated 21.11.2022 passed in RCA No. 64/2015 is set aside. RCA is relegated back to the Appellate Court for decision

afresh by keeping all issues open for decision.

3. Since the Appeal is of year 2015, First Appellate Court to decide the same within one year from the date of knowledge of this order. Pending civil application is also disposed of.

(R. M. JOSHI, J.)

Malani