



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

**924 CIVIL APPLICATION NO. 4208 OF 2024
IN SA/243/1997
WITH
CONT. PETITION NO. 91 OF 2014
IN SA/243/1997
WITH
CIVIL APPLICATION NO. 6488 OF 2022
IN SA/243/1997
WITH
SECOND APPEAL NO. 243 OF 1997**

**BHAGABAI W/O KISHAN KAVDE L.RS. MANIK RAMA KAVADE
AND OTHERS
VERSUS
DAGDU KISAN KAVADE AND OTHERS**

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Mr. B.R. Kedar, Advocate for the applicants.
Mr H.V. Patil, Advocate for applicants in A No. 6488 of 2022.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 26 JUNE 2024.

ORDER:-

. Heard rival submissions. Instead of deciding the pending Civil Application No. 4208 of 2024, the main appeal which is of the year 1997 can be heard. It appears that while admitting the appeal, this court found ground No.5 as substantial question of law involved in this appeal. As such, the appeal is now fixed for final hearing on 19th July 2024 on following substantial question of law :

“Whether both the courts below should have appreciated the question as to whether deceased Kishan or joint Hindu family was the tenant of the suit land and that whether Civil Court was empowered to decide the question relating to the tenancy?”.

(SANDIPKUMAR C. MORE, J.)