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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO. 104 OF 2024
WITH
INTERIM APPLICATION NO. 7053 OF 2024
IN
SECOND APPEAL NO. 104 OF 2024**

Sou. Kasturi Tukaram PatilAppellant

Vs.

Smt. Lalita Arun Patil and OrsRespondents

Mr. Manoj Patil i/b Mr. Ashish Pawar Advocate for the Appellant

**CORAM : GAURI GODSE, J.
DATE : 21st OCTOBER 2024**

ORDER:

1. Heard learned counsel for the appellant. Second appeal is admitted on the following questions of law formulated in grounds nos.

(i) and (n) of the appeal memo:

“i. Whether both the Courts erred by not appreciating that the Rectification Deed dated 25/9/2001 relates to the Sale Deed dated 28/5/1999 did not show that the possession of 1.5R land has given on the western side?

n. Whether both the Courts overlooked the admission of the Defendant’s Witness namely Nilavva Dangare who in

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cross examination admitted that they did not know the witnesses who attested the document and also admitted that they had not seen witnesses and scribe of sale deed at Exhibit 72 and rectification deed at Exhibit 73?”

2. Call for record and proceedings. Printing is dispensed with.
3. In addition to Court notice, learned advocate for the appellant shall serve the respondents by private notice and file affidavit of service.
4. Learned advocate for the appellant shall file private paper-book within a period of one year.

INTERIM APPLICATION NO. 7053 OF 2024:

5. Rule on interim relief in terms of prayer clause (b) is made returnable on 10th February 2025.
6. In addition to Court notice, learned advocate for the applicant shall serve the respondents by private notice and file affidavit of service before the next date.

[GAURI GODSE, J.]