

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

SECOND APPEAL NO. 76 OF 2024

Kiran Shankarrao Hatti

....Appellant

V/s.

The Collector, Through the

State of Maharashtra, Collector

Office, Nagala Park & Ors.

....Respondents

Mr.Niranjan Bhavake a/w. *Ms. Meghna Tripathi and Ms. Drishti Madhani, for the Appellant.*

CORAM : SANDEEP V. MARNE, J.

Dated : 5 February 2024.

P.C. :

1. Heard learned counsel for the Appellant. The Second Appeal is **admitted** on following substantial questions of law :

(i) *Whether the suit filed by the Plaintiffs' can be said to be within limitation in absence of any specific evidence on record about acquisition of knowledge of filing of Regular Civil Suit No. 10 of 2009 by the mother and brother of Plaintiff No.2 ?*

(ii) *Whether the first Appellate Court ought to have decreed the suit after coming to the conclusion that the allotment made in favour of Defendant Nos.4 and 5 is illegal ?*

2. Printing dispensed with. Appellant to file private paper-book within a period of one year from today.

SANDEEP V. MARNE, J.