

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO. 107 OF 2024

Rajendra Dattatray Mohite ... Appellant
Versus
Mahadev Dhule Pujari ... Respondent

.....

Mr. Ajay Joshi i/b. Mr. Nitin B. Patil for Appellant.

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CORAM : SANDEEP V. MARNE, J.
DATED : 12th MARCH 2024

P.C. :-

1. Heard Mr. Joshi, learned counsel for the Appellant.
2. Second Appeal No. 107 of 2024 is admitted on following substantial question of law:

(A) Whether the plaintiff in RCS No. 32 of 2012 is debarred from enforcing his right to redeem suit land, conferred by mortgage by conditional sale dated 07.01.1998 in view of his subsequent act/conduct by which he entered into Contract for sale dated 5.2.1999 in respect of suit land in favour of Defendant, as per provisions of Section 53 A r/w. Section 60 of Transfer of Property Act, 1882?

4. Printing dispensed with.
5. Appellant to file private paper-book within one year.

(SANDEEP V. MARNE, J.)