



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

Writ Petition No. 2140 of 2023

kumar s/o Balchandji Lohiya ..vs.. Shri Gaurishankarji S/o Balchandji Lohiya (dead) through
his L.Rs Shri Amit S/o Gaurishankar Lohiya and ors.]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. N. J. Patil, Advocate for the petitioner
Mr. V. A. Lohia, Advocate h/f Mr. D. R. Khapre, Advocate for respondent
nos. 1(a) & 1(b)
Mr. A. R. Deshpande, Advocate for respondent no. 1(c)

CORAM : ANIL L. PANSARE J.

DATED : 25-09-2024

The purpose of filing present petition will be served, if the additional issue as formulated by the trial Court vide order dated 15-11-2022 is modified by replacing defendant no. 3a with mother of defendant no. 3a. The modified issue reads thus :

Do defendant nos. 1 and 3a prove that defendant no. 1 and mother of defendant no. 3a have made construction with the permission of Ghyarsidevi, on the plot by spending huge amount, and that they are owner and possessor of it, as claimed ?

2. The order dated 15-11-2022 passed by 8th Jt. Civil Judge Senior Division, Akola below Exhibit 118 in Spl. C. S. No. 115/2018 stands modified accordingly.
3. Writ petition is disposed of in above terms.

(Anil L. Pansare, J.)