



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
: NAGPUR BENCH : NAGPUR.

SECOND APPEAL NO. 55 OF 2024

SUMANBAI TEJRAO SARKATE

VERSUS

TEJRAO BHIKAJI SARKATE AND ANOTHER

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. R. G. Kavimandan, Advocate for the appellant.

CORAM : G. A. SANAP, J.

DATE : MARCH 08, 2024.

1. Heard Mr. R. G. Kavimandan, learned advocate for the appellant.
2. Issue notice to the respondents, on the following substantial question of law :-

(i) Whether finding of learned Lower Appellate Court on aspect of maintainability of suit is perverse as suit for declaration and injunction on the basis of compromise between appellant/original plaintiff and respondent no.1/original defendant no.2 in PWDVA No.30/2020 is maintainable as the said compromise recognizes right of the appellant/ori.plaintiff towards maintenance from respondent no.1/ori.defendant no.2 ?

3. Notice returnable within four weeks.

(G. A. SANAP, J.)