



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

CIVIL APPLICATION (CAS) NO. 501 OF 2024
IN
SECOND APPEAL NO. 100 OF 2024

YADHAV S/O SAMBHAJI KHILLARE

Vrs.

LEELABAI W/O VITHOBA KHILLARE (DEAD) THROUGH LRS AND OTHERS

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

Court's or Judge's Order

Shri R. G. Kavimandan, Advocate for applicant.

CORAM: SANJAY A. DESHMUKH, J.
DATE : 05/07/2024.

1. Heard learned advocate for the applicant.
2. Perused the impugned Judgment of the Trial Court as well as Appellate Court.
3. There shall be stay to the execution of the Judgment and decree in terms of prayer clause (1), till the appearance of the respondent No.1 and filing of the affidavit in reply, if any.

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4. Heard learned advocate for the appellant.
5. Issue notice to the respondents on the following substantial questions of law :-

"Whether the First Appellate Court is justified in not deciding the legality of the Will executed in favour of respondent No.1".

6. Call for Record and Proceedings.
7. Stand over after four weeks.

[SANJAY A. DESHMUKH, J.]

Choulwar