



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

SECOND APPEAL NO.275 OF 2024

[Kalavatibai Mahadeorao Wankhade .vs. Ramkrushna Anandrao Balaskar and others]

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

Court's or Judge's orders

Mr. Anup J. Gilda, Advocate for Appellant.

CORAM : SANJAY A. DESHMUKH, J.

DATE : 21st OCTOBER, 2024.

1. Heard the learned Advocate for the appellant.
2. Issue notice to the respondents on the following substantial questions of law :
 - (i) *Was the first appellate Court legal and correct while relying upon the certified copy of a Will Deed dated 13.11.1987 about which there was no explanation as to its original and decided the appeal on that basis?.*
 - (ii) *was the first appellate court legal and correct in holding that the evidence of power of attorney is not reliable.?*
 - (iii) *was the first appellate court legal and correct while deciding as to whether suspicious circumstances of Will were removed or not.?*
3. Call for the record and proceedings.
4. Notice be returnable after six weeks.

Civil Application No.937/2024

1. This is an application for grant of temporary injunction.
2. Perused the application and also perused the judgments of the trial court and the first appellate court. Heard the learned Advocate for the appellant.
3. Issue notice to the respondents, returnable after six weeks, as to why, the temporary injunction, as prayed, shall not be granted.
4. In the meanwhile, there shall be ad-interim temporary injunction restraining the defendants from creating third party interest in the suit property.
5. The appellant to communicate this order to the trial court as well as to the respondents by RPAD.

(SANJAY A. DESHMUKH, J.)