



IN THE HIGH COURT OF JUDICATURE AT BOMBAY BENCH
AT AURANGABAD

38 APEAL FROM ORDER NO. 36 OF 2024

SMT. SUSHILABAI SHRAWAN BHAMRE (DIED) THRU LRS.
ANIL S. BHAMRE THRU. LRS. MANGALA A. BHAMRE & ORS

VERSUS

SUNIL KAMALAKAR PATIL AND OTHERS

WITH CIVIL APPLICATION NO. 11246 OF 2024
IN AO/36/2024

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Advocate for the Appellants : Mr. A. P. Nahar h/f Mr. Sawant
Amol Shivajirao.

Advocate for respective Respondents : Mr. Umesh Mitkari h/f
Mr. Mohit S. Shah.

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CORAM : SHAILESH P. BRAHME, J.
DATE : 03.10.2025

PER COURT :-

1. This appeal shall be decided finally on the following
substantial questions of law on the next date.

- (i) Whether order of remand is sustainable in given
facts and circumstances of the case ?
- (ii) Whether is it permissible to remand the matter to
the Trial Court for extending opportunity to the
heirs of the party to file pleadings and to lead
evidence when the concerned party respondent

No.1 already file written statement and led
evidence in the Trial Court ?

2. Stand over to 16.10.2025.

(SHAILESH P. BRAHME, J.)

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vmk/-