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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

**SECOND APPEAL NO. 732 OF 2024
WITH
INTERIM APPLICATION NO. 15465 OF 2024
IN
SECOND APPEAL NO. 732 OF 2024**

Ranjana Laxman Langote

.....Appellant

Vs.

Parvati Uttam Rankhamb Since
Deceased Thr. Her LRs

.....Respondents

Mr. Dilip Bodake Advocate for the Appellant
Mr. Prashant R. Suryawanshi i/b Mr. Gajanan M. Savagave for
respondent nos. 1(a) to 1(c)

CORAM : GAURI GODSE, J.

DATE : 7th MARCH 2025

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ORDER:

1. Heard learned counsel for the appellant. This appeal is preferred by the original defendants to challenge the concurrent judgments and decrees granting partition and separate possession.

2. Learned counsel for the appellant submits that both the parties are claiming through Bhau who expired on 23rd July 1984. He submits

that on the date of death of Bhau, his only surviving co-parcener was Laxman, his son and therefore, the plaintiffs will not be entitled to equal share. He submits that, deceased plaintiff Parvati being daughter of Bhau would be entitled to only share in Bhau's undivided share. He, therefore, submits that the second appeal would require consideration as the aforesaid grounds raise substantial question of law.

3. I have perused the papers of the second appeal. The relations between the parties are not in dispute. In view of the date of death of Bhau and the relations between the parties, both the Courts have relied upon the legal principles settled by the Hon'ble Apex Court in the case of *Vinita Sharma Vs. Rakesh Sharma*¹. In view of the well settled legal principles, both the Courts have granted equal share to Parvati alongwith Laxman. In view of the admitted facts of the case and the well settled legal principles, the grounds argued on behalf of the appellant would not require any consideration by this Court.

4. The second appeal does not raise any substantial question of law. Hence, the second appeal is dismissed.

¹ (2020) 9 SCC 1

5. In view of dismissal of second appeal, Interim Application No. 15465 of 2024 is disposed of as infructuous.

[GAURI GODSE, J.]