

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CIVIL APPELLATE SIDE JURISDICTION.

SECOND APPEAL NO.339/2014

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Tejpal S. Ingale for the Appellant
Mr. P. K. Patole i/b. S. S. Patwardhan for the Respondent Nos.1 to 5.

CORAM : K. K. TATED, J.

DATE : SEPTEMBER 8, 2015

P.C.:

1. Heard.
2. Admit, on the following substantial questions of law:

a. Whether the Lower Appellate Court was justified in law in holding that the Plaintiffs are not entitled to claim partition and separate possession of their shares in suit lands on the erroneous interpretation of the judgment and decree dated 19/09/1988 passed in Reg. Civil Suit No.411/80 in which other suit lands Survey No.183, 126, 106 are held to be self acquired properties of deceased Jingonda ?

b. Whether the Plaintiffs being the daughters of deceased Jingonda are entitled to claim partition and separate possession of their share in the suit properties left by deceased father Jingonda and the joint family properties, irrespective of the nature of suit property either ancestral or self acquired ?

c. Whether the Lower Appellate Court erred in holding that the Plaintiff is not entitled for partition in the suit properties of the deceased Jingonda Patil considering the amendment to section 6 of Hindu Succession Act by which the daughters are brought at par of co-parceners having equal rights to that of sons ?

3. Appellants to file private paper book within one year from today, failing which the appeal shall stand dismissed without further reference to the court.

4. Printing and filing of roznama dispensed with.

5. The learned counsel for the Respondent Nos.1 to 5 waives service.

JUDGE

CERTIFICATE

Certified to be true and correct copy of the original signed order.