



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

SECOND APPEAL NO.14 OF 2025

APPELLANTS

(Ori. Plaintiffs)
On RA

- :-**
- 1) Dudharam Maniram Pawar,
Age 50 years, Occupation–Agriculturist,
 - 2) Nanu Maniram Pawar,
Age 50 years, Occupation–Agriculturist,
 - 3) Gokul Maniram Pawar, (Dead)
Age 40 years, Occupation–Agriculturist,
 - 4) Smt. Shantabai Maniram Pawar,
Age 70 years, Occupation–Agriculturist,
 - 5) Smt. Yashodabai Ashok Rathod,
Age 38 years, Occupation–Agriculturist.
All R/o. Katarwadi, Tq. Mahagaon,
District – Yavatmal.

..VERSUS..

RESPONDENTS

(Ori. Defendants)
On RA

- :-**
- 1) Sambha Purushottam Palikondawar
(DEAD), through Legal Representatives
 - 1-A) Divakar Sambha Palikondawar,
Age 50 years, Occupation– Agriculturist,
 - 1-B) Vilas Sambha Palikondawar,
Age 50 years, Occupation – Agriculturist
Both R/o. Udasi Ward, Pusad, Tq. Pusad,
District – Yavatmal.
 - 2) Avachitrao Ramu Pawar,
Age 50 years, Occupation – Chairman
(Sabhapati), Agricultural Produce
Market Committee, Pusad, Tq. Pusad,
District – Yavatmal.

Mr. K.S. Narwade, Advocate for Appellants.
None for the Respondent.

CORAM : ROHIT W. JOSHI, J.

DATE : 11/11/2025

ORAL JUDGMENT :

1. Heard.

2. The present appellant has filed a suit challenging the sale deed dated 23.02.1963. The suit is filed on 12.10.2006. The said sale deed is at Exh.67. The cause of action for filing the suit is based on some observations by Revenue Officer in an enquiry, wherein it was stated that the sale deed in question was not available in the record of the concerned Sub-Registrar and only entries in Index-II were found. The plaintiff considered this to be a suspicious circumstance going to the root of the impugned sale deed and filed the suit challenging the sale deed of the year 1963, in the year 2006 that is after period of 43 years.

3. The foundation of the case that Index-II entries were recorded mischievously although the document of sale was not registered, stands falsified by the evidence of the plaintiff, in as

much as, certified copy of the sale deed in question is filed on record by the plaintiff and is marked as Exh.67 during the course of the evidence.

4. In view of the above, the concurrent decrees passed by the learned trial Court dismissing the suit of the plaintiff do not call for any interference. The plaintiff has failed to make out any substantial question of law. The second appeal is therefore, **dismissed** with no order as to costs.

(ROHIT W. JOSHI, J.)

C.L. Dhakate