



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

CIVIL APPLICATION (CAS) NO.687/2025

IN

SECOND APPEAL NO.439/2004

Hamidkha s/o Majitkha

...Versus...

Rajjakkha s/o Majitkha (Dead through L.Rs.) Sugrabi wd/o Rajjakkha
(Deleted)

Rajikkha s/o Rajjakkha and others

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

Court's or Judge's orders

Mr. A.A. Patil, Advocate h/f Mr. V.G. Bhamburkar, Advocate for appellant

CORAM : ROHIT W. JOSHI, J.

DATE : 01/10/2025

1. This is an application seeking to add prayer for remand of the matter to the learned trial Court.
2. It is always open for the appellate Court to pass order of remand even in the absence of prayer. The civil application is disposed of accordingly.
3. It will be open for the appellant to advance submissions as regards to remand the matter during the course of final hearing of the appeal.

SECOND APPEAL NO.439/2004

1. The office-note shows that learned Advocate for the appellant has not collected the paper publication notice for service on unserved respondents. The appeal is of the year 2004. It is yet to be admitted.

2. List the appeal for hearing on admission on 03/10/2025 high on board.

3. The appellant to note that the request for adjournment will not be entertained and the appeal will be heard positively for admission on 03/10/2025.

(ROHIT W. JOSHI, J.)

Wadkar