

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

CIVIL APPLICATION NO. 1253 OF 2025

IN

SECOND APPEAL NO. 280 OF 2022

(Tulsidas S/o Bhimji Patel vs. Parwata Wd/o Kundlikrao Choudhary and others)

*Office Notes, Office Memorandum of Coram,
appearances, Court's orders or the directions,
and Registrar's orders.*

Court's or Judge's order

Mr. Pratik Jain, Advocate for applicant.

CORAM : ROHIT W. JOSHI, J.
DECEMBER 16, 2025

- 1) The present application is filed by the appellant, who is lis pendens transferee in the suit for partition and separate possession. The contention sought to be raised in amendment application is that the property which has fallen to the share of vendors of the appellant should be allotted to the appellant in execution, which is being effected pursuant to the decree which is impugned in the present appeal.
- 2) It will be open for the appellant to move an appropriate application in this regard before the learned Executing Court or to file appropriate proceeding under Section 54 of the Code of Civil Procedure claiming that the share which is allotted to the vendors of the appellant in the said proceeding be allotted to the appellant.
- 3) Accordingly, Civil Application is disposed of with liberty to the appellant to take appropriate steps for allotment of the share of his vendors in his favour as per the Sale Deed executed by the vendors/judgment debtor.

(ROHIT W. JOSHI, J.)