



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

SECOND APPEAL NO.375/2025

Akhilesh Chandrabhan Singh and another
...Versus...
Shivkumar Vijayamal Singh

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

Court's or Judge's orders

Mr. K.R. Bhise, Advocate for appellants

CORAM : ROHIT W. JOSHI, J.
DATE : 22/12/2025

1. The plaintiff had filed a suit for eviction against the defendants, claiming that the defendants were inducted in the suit property as tenants. The defendants contend that their father and plaintiff are real brothers and that their father had contributed amount towards the sale consideration for purchase of the suit property.
2. It is the contention of the defendants that a sum of Rs.55,000/- was paid by their father to the plaintiff by cheque for purchasing the suit property.
3. Perusal of findings recorded by both the learned Courts will demonstrate that the defendants utterly failed to prove the said contention. They have not filed bank statement or other documentary evidence in support of their contention. Thus, both the learned Courts have concurrently held that the defendants have failed to prove their defence of co-ownership.

4. In view of the aforesaid, no substantial question of law arises for consideration in the second appeal. Second Appeal is dismissed with no order as to costs.

(ROHIT W. JOSHI, J.)

Wadkar