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

CIVIL APPLICATION (CAS) NO. 629 OF 2025
IN SECOND APPEAL NO. 398 OF 2019
with SECOND APPEAL NO. 400/2019

*PANDURANG S/o GANPAT DATIR **VERSUS** UKANDRAO S/o MAROTIRAO GUJAR AND ANR*

Office Notes, Office Memoranda of Coram, appearances, Court's Orders or directions and Registrar's order | Court's or Judge's Order

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Mr. V. D. Muley, Advocate for the appellant
Mr. A. A. Zade, Advocate for respondent nos.2 to 4

CORAM : M. W. CHANDWANI, J.
DATE : JULY 17, 2025.

1. This Court by order dated 21.01.2020 has framed the substantial question - *"whether the property which is held in Class-II rights can be bequeathed by a will, when the property is unalienable due to its classification as Class-II occupancy ?"*

2. By the present application, the appellant wants to frame two additional substantial questions of law.

3. Having heard the learned counsels for the respective parties, following additional substantial question of law is framed :

> *"Whether the Courts below erred in holding that the will dated 26.06.1996 is surrounded by suspicious circumstances when the will is a registered document and the possession of the land was given by the testator on the very same day and died almost after 12 (twelve) years ?"*

4. Call for the record and proceedings.

5. Place the matter for final hearing at admission stage on 13.08.2025.

(M.W.Chandwani, J.)

Diwale

Signed by: DIWALE
Designation: PS To Honourable Judge
Date: 17/07/2025 17:27:54