IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 11804 OF 2023
IN SA/192/2020

WITH CIVIL APPLICATION NO. 8319 OF 2026
IN SA/192/2020

SANGEETA MACHINDRA GAGARE AND ANOTHER
VERSUS
CHHABUBAI CHANGDEO ROHMARE AND OTHERS

.....
Advocate for the Applicants : Mr. V. S. Bedre
Advocate for Resp. No.2 : Mr. P.S. Pawar
Advocate for Resp. No.12 : Mr. N.C. Garud
.....

AND
CIVIL APPLICATION NO. 8328 OF 2026
IN SA/892/2018

NANDKUMAR KEVALCHAND BHATEWARA
VERSUS
CHHABUBAI CHANGDEO ROHMARE AND OTHERS

.....
Advocate for the Applicant : Mr. N.C. Garud
Advocate for Resp. No.2 : Mr. P.S. Pawar
.....

AND
CIVIL APPLICATION NO. 8525 OF 2026
IN SA/892/2018

CHHABUBAI CHANGDEO ROHMARE AND OTHERS
VERSUS
THE DEPUTY SUPERINTENDENT OF LAND RECORDS RAHURI & ORS.

.....
Advocate for the Applicants : Mr. S.D. Jayabhar
Advocate for Respondents in SA : Mr. N.C. Garud
.....

AND
SECOND APPEAL NO. 192 OF 2020

.....
Advocate for the Appellants : Mr. V.S. Bedre
.....

CORAM : SANJAY A. DESHMUKH, J.
DATE : 02.11.2026

P.C.:-

Civil Application No.11804 of 2023:

1. This is an application for condonation of delay of 334 days caused in filing the application for setting aside the abatement and for bringing the legal representatives of respondent no.8 on record.

2. Perused the application. Heard the learned advocates for both the sides.

3. On perusal of the application, it appears that the delay has not been deliberately caused. Therefore, in the interest of justice, the delay deserves to be condoned.

4. For the reasons stated in the application, the delay stands condoned. In the interest of justice, the application stands allowed as prayed. Amendment be carried out before the next date.

Civil Application No.8319 of 2026:

5. This is an application for bringing the legal representatives of respondent no.7 on record.

6. Perused the application. Heard the learned advocates for both the sides. For the reasons stated in the application, the application stands allowed as prayed. Amendment be carried out before the next date.

Civil Application No.8328 of 2026:

7. This is an application for condonation of delay, if any, caused in filing the application for setting aside the abatement and for bringing the legal representatives of respondent nos.9A to 9C on record.

8. Perused the application. Heard the learned advocates for both the sides.

9. On perusal of the application, it appears that the delay has not been deliberately caused. Therefore, in the interest of justice, the delay deserves to be condoned, if any.

10. For the reasons stated in the application, the delay occurred, if any, stands condoned. In the interest of justice, the application stands allowed as prayed. Amendment be carried out before the next date.

Civil Application No.8525 of 2026:

11. This is an application for giving direction to Deputy Superintendent of Land Records, Rahuri to grant land situated towards southern side of the Gut No.191 to the applicant. As per the partition table the said land is not allotted to the applicant.

12. The jurisdiction lies to the revenue authority by filing appeal against the partition table. The application is not maintainable and is accordingly disposed of.

Appeal:

13. Heard the learned advocates for both the sides.

14. Following substantial question on of law is formed:

> *i) Whether the sale deed executed after 20.12.2005 by the brother of the plaintiff is illegal in the absence of contentions raised as to its fraudulent execution and executed without legal necessity was considered by the Appellate Court in its judgment ?*

15. The learned advocate for the appellants is directed to carry out the amendment in both the appeals on or before 02.12.2026.

16. Stand over to 02.12.2026.

[SANJAY A. DESHMUKH, J.]

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