



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO.145 OF 2026**

Sameer Sharad Gurav and Ors. ... Appellants
versus
Giridhar Gajanan Guarv and Ors. ... Respondent

WITH
INTERIM APPLICATION NO.2525 OF 2026
AND
INTERIM APPLICATION NO.2264 OF 2026

Mr. Rajesh Datar with Ms. Dhruti Datar, for Appellants.
Mr. Rohit Joshi, for Respondent Nos.1 to 6.

CORAM: N.J.JAMADAR, J.

DATE : 29 APRIL 2026

P.C.

1. Heard the learned Counsel for the parties.
2. The following substantial questions of law arise for consideration :
 - (i) Whether the learned District Judge has misconstrued the evidence to return a finding that the priestly rights in respect of Kalambadevi Temple were conferred on the entire Gurav clan and the Defendants were not entitled to exclusively exercise the rights as priests ?
 - (ii) Whether the learned District Judge erred in placing evidentiary burden on the defendants to prove that they were exclusively entitled to exercise priestly rights in respect of Kalambadevi Temple, Alibaug ?
 - (iii) Whether the learned District Judge has applied correct principles

in the matter of determination of existence of priestly rights and the evidence was correctly appreciated in the light of those principles ?

3. Issue notice to the Respondents, returnable on 8 July 2026.
4. Mr. Joshi waives service of notice on behalf of Respondent Nos.1 to 6.
5. In addition to notice through Court, the Appellants are at liberty to serve the rest of the Respondents by private service and file an affidavit of service.
6. Call R and P.
7. Printing is dispensed with.
8. In the meanwhile, the Appellants shall file private paper book.
9. Mr. Joshi, learned Counsel for Respondent Nos.1 to 6, on instructions, submits that the Plaintiffs will not move for execution of the decree, in the intervening period.
10. The statement is accepted.

INTERIM APPLICATION NO.2525 OF 2026

11. This application is filed to bring the legal representatives of Respondent No.9 on record.
12. For the reasons assigned in the application and to advance the cause of substantive justice, the Interim Application stands allowed.
13. The Appellants are permitted to bring legal representatives of Respondent No.9 on record.
14. Amendment be carried out within a period of four weeks.

15. Copy of the amended appeal memo be served on the Respondents.
16. Issue notice to the legal heirs of Respondent No.9, returnable on 8 July 2026.
17. Interim Application stands disposed.

(N.J.JAMADAR, J.)