



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

SECOND APPEAL NO. 207 OF 2021
WITH
CIVIL APPLICATION NO. 638 OF 2021
WITH
CIVIL APPLICATION NO. 1207 OF 2025
WITH
CIVIL APPLICATION NO. 170 OF 2024
WITH
CIVIL APPLICATION (ST) NO. 501 OF 2026
IN
SECOND APPEAL NO. 207 OF 2021

AVINASH PRAKASHCHANDRA BANAIT AND OTHERS
Vs.
JYOTI W/O MORESHWAR KELKAR AND OTHERS

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

Court's or Judge's orders.

Mr. R. S. Sundaram a/w Usha R. Tanna a/w Ramaswamy Sundaram,
Advocate for the Appellant.
Mr. V. V. Bangade a/w R. M. Kinkhede a/w S. A. Misal, Advocate for
Respondent Nos. 1, 2, 4.

CORAM : ROHIT W. JOSHI, J.
DATE : 12th JANUARY, 2026.

1. On a further hearing of the appeal following
additional substantial questions of law are framed:

(i) Whether the learned first appellate Court had erred
in law for not taking into consideration in the admissions of
plaintiff No.2 with respect to the suit property bearing Khasra
No.22 being property of private family Trust named "Shri. Deo

Balkrishna Deoghar Deosthan”?

(ii) Whether the plaintiffs had constructive knowledge of the impugned sale deeds and consequently was the suit filed within limitation?

2. Stand over to 20th January 2026.

(ROHIT W. JOSHI, J.)

MJ Jadhav