



**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

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

Court's or Judge's orders.

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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 : 12<sup>th</sup> 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 20<sup>th</sup> January 2026.

**(ROHIT W. JOSHI, J.)**

MJ Jadhav