

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) Nos.17335-17336/2021

(Arising out of impugned final judgment and order dated 30-03-2021 in SA No.812/2015 30-03-2021 in CA No.1721/2015 passed by the High Court of Judicature at Bombay)

BHAUSAHEB RAGHUNATH SANAP

Petitioner(s)

VERSUS

RATNABAI CHANDRAKANT VADEKAR & ORS.

Respondent(s)

(IA No.140557/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No.140558/2021-EXEMPTION FROM FILING O.T.)

Date : 08-11-2021 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE M.M. SUNDRESH

For Petitioner(s) Mr. Sandeep Sudhakar Deshmukh, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

Applications seeking exemption from filing C/C of the impugned judgment and exemption from filing O.T. are allowed.

Learned counsel for the petitioner contends that while giving the findings qua the ownership, the Trial Court held that the claim against the petitioner before us as a third party was barred by limitation. The appeal was preferred by the respondents in which a finding was reached that the suit was within limitation. The occasion for the petitioner to challenge the findings in appeal before the first appellate

court did not arise as the suit had been dismissed as barred by time qua the petitioner. In the second appeal filed by the petitioner, it has been held against the petitioner that the petitioner did not challenge the findings before the first appellate court.

Issue notice.

In the meantime, the title and possession of the property in question be not disturbed.

Copy of the order to accompany notice.

(RASHMI DHYANI)
COURT MASTER

(POONAM VAID)
COURT MASTER