

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****SECOND APPEAL NO.244 OF 2009****WITH****INTERIM APPLICATION NO.17889 OF 2022****WITH****CIVIL APPLICATION (STAMP) NO.6066 OF 2018**

Ramu Bhaguji Gadade, Decd. Thr. His LRs

Shri Sahebrao Ramu Gadage And Ors.

...Appellants

vs.

Shri Babu Limbaji Gadage And Ors.

...Respondents

....

Mr. Vilas B. Tapkir, for the Appellants.

....

CORAM : S.M. MODAK, J.**DATE : 6 SEPTEMBER 2022****P.C. :**

Heard learned Advocate Mr. Tapkir for the Appellants/defendants.

2. Learned Advocate Mr. Rahul Kate for the Respondents is today not available. Learned Advocate Mr. Tapkir apprises me about two rounds of litigation. The first appellate court, as per the impugned judgment, has held that suit is within limitation. That issue was decided by the first appellate court as directed by this Court in earlier Second

Appeal No.204 of 2007 dated 16 July 2007. So the scope of this second appeal is restricted to that finding only.

3. In view of this, the matter be fixed for final hearing on 22 September 2022.

(S.M. MODAK, J.)