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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CIVIL APPLICATION NO.3125 OF 2016

IN

FIRST APPEAL NO.755 OF 1988

Girish Chandmal Lodha

.. Applicant

IN THE MATTER BETWEEN

Prahaldsingh s/o Bachu Singh

(Since deceased)

Dharamvir s/o Prahlad Singh and others

.. Appellants

Versus

Smt. Buridevi Chandmal Lodha and others

.. Respondents

Mr. Shreepad Murthy i/by Mr. V. N. Tayade for the Applicant.

Mr. V. T. Lulia for the original Appellants/Respondents.

CORAM : R.M. SAVANT, J.

DATE : 1st AUGUST 2016

PC.

1 It is the submission of the Learned Counsel appearing on behalf of the Applicant Mr. Shreepad Murthy that a Learned Single Judge of this Court vide order dated 21.08.2015 passed in Civil Application No.634 of 2013 had directed the City Civil Court to record the evidence and return the same to this Court whereas it is the contention of Mr. V. T. Lulia the Learned Counsel appearing for original Appellants that the said



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order contemplates the City Civil Court deciding the application itself i.e. Civil Application No.634 of 2013. Both the Learned Counsel rely upon paragraph 5 of the said order in support of their respective contentions. Since the contentions raised by the Learned Counsel revolve around the interpretation of paragraph 5 of the order dated 21.08.2015 passed in Civil Application No.634 of 2013 it would be appropriate if the parties move the same Learned Judge who had passed the said order dated 21.08.2015 for clarification.

[R.M. SAVANT, J]