

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO. 395 OF 2014
WITH
CIVIL APPLICATION NO. 975 OF 2018**

Shri. Dyaneshwar Baburao Shirsat ... Appellant

Vs.

Madhav khanderao shirsath (d/h) ... Respondent

Mr. Nikhil Pujari i/by P. H. Joshi for appellant.

Mr. Sachin Gite for Respondent Nos. 3, 4A to 4C, 5, 6, 8 to 11.

CORAM : GAURI GODSE, J.

DATE : 29th APRIL 2026

ORDER :

1. The second appeal is admitted on following substantial question of law :-

a. Whether, the plaintiff is entitled to declaration and injunction in view of the entries in the consolidation scheme which is subject matter of challenge in Writ Petition No. 5565 of 2019 ?

2. Notice is waived on behalf of respondent nos. 3, 4A to 4C, 5, 6, 8 to 11.

3. Office shall issue notice to the remaining respondents

except respondent nos. 1 and 2.

4. Learned Advocate for the appellant shall take steps as against respondent nos. 1 and 2.

5. In addition to the court notice, learned Advocate for the appellant to serve the respondent by private notice and file service affidavit before the next date.

6. Learned advocate for the appellant shall ensure that copies are supplied and the court notice is issued by taking humdast.

7. Call for records and proceedings.

8. Printing is dispensed with.

9. Learned advocate for the appellant shall file a private paper-book within a period of one year from today.

10. To be heard along with Writ Petition No. 5565 of 2019.

Civil Application No. 975 of 2018

11. To be heard along with the second appeal.

12. Liberty to the respondents to file affidavit in reply, if any.

[GAURI GODSE, J.]