

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO.287 OF 2021

Vasant Kashinath Pugaonkar ...Appellant
Versus
Pushpalata Bhiva Pugaonkar ...Respondent
through her Power of Attorney Holder
Avinash Bhiva Pugaonkar

WITH
INTERIM APPLICATION NO.2296 OF 2021
IN
SECOND APPEAL NO.287 OF 2021

Vasant Kashinath Pugaonkar ...Applicant
Versus
Pushpalata Bhiva Pugaonkar ...Respondent
through her Power of Attorney Holder
Avinash Bhiva Pugaonkar

Mr. Ashwin Thool appointed by Legal Aid a/w. Ms. Archishmati Chandramore, for the Appellant/Applicant.
Mr. Ashutosh Kale, for the Respondent.

CORAM: MADHAV J. JAMDAR, J.
DATED : 25th AUGUST 2025

P. C.:

1. Heard learned Counsel appearing for the Appellant and learned Counsel appearing for the Respondent.

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2. The Second Appeal is admitted on the following substantial questions of law:

(a) Whether the findings recorded by the learned Appellate Court that the Plaintiff proved that the suit property was given to the Defendant on Leave and License is contrary to the evidence on record?

(b) Whether the oral deposition of Power of Attorney on the basis of which, it has been held that the Leave and License Agreement is proved can be relied on when the said Constituted Attorney has no personal knowledge?

INTERIM APPLICATION NO.2296 OF 2021:

1. Learned Counsel appearing for the Respondent seeks time to file affidavit-in-reply.

2. Let such affidavit-in-reply be filed within a period of three weeks from today.

3. Till next date, ad-interim relief in terms of prayer clause (B).

[MADHAV J. JAMDAR, J.]