

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

SECOND APPEAL NO. 630 OF 2019

Smt.Bharati Bhaskar Ghodke

...Appellant

vs.

Shri Rajendra Gangadhar Kadam

...Respondent

Mr.Nitin Mulye for Appellant.

CORAM : S.C. GUPTE, J.

DATE : 7 NOVEMBER 2019

P.C. :

Heard learned Counsel for the Appellant.

2 This second appeal challenges concurrent orders passed by the trial court and the first appellate court on the Appellant's suit. By these orders, the Appellant's suit for declaration of esmentary right and perpetual injunction was dismissed by the courts below.

3 Issue notice to the Respondent returnable on 10 December 2019. Humdast permitted. In addition to court notice, the Appellant may serve the Respondent by private service and file an affidavit of service by the next date. Construction, if any, carried out by the Respondent shall be subject to the outcome of the present second appeal.

(S.C. GUPTE, J.)