



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

33 SECOND APPEAL NO. 616 OF 2021
WITH
CIVIL APPLICATION NO. 8499 OF 2020 IN SA/616/2021
WITH
CIVIL APPLICATION NO. 12145 OF 2017 IN SA/616/2021

DR. YASHWANTRAO BHASKARRAO DESHMUKH
VERSUS
RAGHUNATH KISAN SAINDANE

Advocate for Appellant : Mr. O.S. Patil h/f. Mr. Solshe Vinesh C.
Advocate for Respondents : Mr. Mukul S. Kulkarni

CORAM : ARUN R. PEDNEKER, J.
Dated : December 01, 2025

PER COURT :-

1. The present second appeal is admitted on 7.3.2022 on following substantial questions of law :-

(a) Whether the facts, circumstances and the evidence on the record and the discretion exercised by the trial court was such as could have enable the lower appellate court to reverse it ?

(b) Whether the conclusion arrived at by the trial court that the respondent was not ever ready and willing to perform his part of the contract was so arbitrary, capricious and perverse as would have enabled the lower appellate court to reverse it ?

2. Today, the learned counsel appearing for the appellant submits that the appellant has passed away and seeks time to take steps to bring the legal heirs of deceased appellant on record.

3. On his request, stand over to 15.12.2025.

(ARUN R. PEDNEKER, J.)

SSC/