

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

SECOND APPEAL NO. 926 OF 2022

SAYED HAFEEZ SAYED AHMED NALGIRE
VERSUS
MAROTI SAKHARAM BHOGE AND ANOTHER.

...
Mr. T.M. Venjane, Advocate for the appellant.

CORAM : MEHROZ K. PATHAN, J.
DATE : 4th MAY, 2026.

P.C. :-

1. Heard Shri Venjane, learned counsel for the appellant.
2. After going through both the judgments of the learned courts below, the following substantial questions of law appears to be involved in this appeal.

[I] Whether the defendant No.2 proves that he is bonafide purchaser of the suit property, by leading documentary and oral evidence ?

[II] Whether, by virtue of Section 151 of the Code of Civil Procedure, the matter has to be remanded back to the trial court, as the defendant No.2 did not get the opportunity to lead his evidence ?

[III] Whether the findings arrived at by the learned lower courts are perverse to the evidence led by the parties ?

3. Issue notice to respondents returnable on 22nd June, 2026.

[MEHROZ K. PATHAN]
JUDGE.

grt/-