

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

SECOND APPEAL NO. 107 OF 2026
with CA. NO.2276 OF 2026.

Shriram Shivaji Gaikwad And Others
VERSUS
Shivaji Raghunath Gaikwad And Others

Advocate for Appellant : Mr. Kodale Vikas G.

CORAM : MEHROZ K. PATHAN, J.

DATE : 10TH MARCH, 2026.

P.C. :-

1. After hearing for some time, it appears that the following substantial questions are involved in this appeal :-

(B) Whether the findings recorded by the first appellate court in respect of property in land Gut No. 29 admeasuring 2 Hectares 40R is perverse and against the factual aspects of the matter ?

*(D) When the property bearing Gut No. 11/1 is purchased in the name of defendant No. 2 to 10 as members of joint family from the nucleus of joint family, whether it can be held that, said property is **Streedhan** in absence of any cogent evidence ?*

2. It is the submission of the learned counsel for the appellant that Gat No. 11/1 was included in the partition even by the trial court in its decree dated 23.12.2016 passed in R.C.S. No. 80 of 2012. The defendant No.11 - Pandit Narsing Jadhav_ has filed an appeal bearing R.C.S. No. 14 of 2017. The appellate Court has partly allowed the appeal

and excluded Gat No. 11/1 from the partition of the joint family property and considered the same to be a *Streedhan* property. It is further submitted by the learned counsel for the appellant that respondent No.11 Pandit Narsihg Jadhav, is making an attempt to create a third party interest in the suit property.

3. Thus, taking into consideration the aforesaid submissions, issue notice for final disposal to the respondents returnable on 1st April, 2026.

4. In the meanwhile, **parties shall maintain status-quo.**

[MEHROZ K. PATHAN]
JUDGE.

grt/-