



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

SECOND APPEAL NO.141 OF 2025

Pundlik Bhgwan Chopade (dead) through his LRs and Ors **Vs.** Laxman Motiram Sonone
 (dead) through his LRs and Ors

WITH

SECOND APPEAL NO.142 OF 2025

Narmadabai Wasudeo Chopade and ors **Vs.** Gopal s/o Vishnu Chopade and Ors

WITH

SECOND APPEAL NO.141 OF 2025

Pundlik Bhgwan Chopade(dead) thr. his LRs & Ors **Vs.** Mahesh Laxman Pardeshi& Ors

Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's Orders.

Court's or Judge's orders.

Shri N.B. Kalwaghe, Advocate for appellants.
 Shri A.V. Bhide, Advocate for respondents.

CORAM : M.W. CHANDWANI, J.

DATE : 11.08.2025.

1. Heard.
2. These second appeals are **admitted** on the following substantial questions of law:

“(A) Whether the learned subordinate appellate Court erred in holding that the licence is perpetual and irrevocable as per provision of Section 60(b) of the Indian Easements Act, 1882, though no such issue was arose before the learned trial Court for consideration and adjudication ?

(B) Whether the defendant / respondents proved and established three mandatory conditions contemplated under Section 60(b) of the Indian Easements Act, 1882 in order to seek protection under said provision?

(C) Whether the protection under Section 60(b) of the Indian Easements Act, 1882 is available to the defendant once he claimed to be owner of suit property by refusing the licence?”

3. With the consent of both parties, list the matter for final hearing on 15.09.2025.

4. Meanwhile, R&P be called.

JUDGE

Wagh