

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

**SECOND APPEAL NO. 279/2017**

**Smt. Ambika w/o Babanji Lambat and ors.**

**v.**

**Dnyaneshwar Yadaorao Ambatkar and ors**

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

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Shri R.M.Bhangde, the learned counsel for the appellants  
Shri. Raju Bhoble , the learned counsel for the respondents

**CORAM : V.M. DESHPANDE, J.**  
**DATED : NOVEMBER 10, 2017**

Heard Shri R.M.Bhangde the learned counsel for  
the appellants and Shri Raju Dhoble, the learned counsel  
for the respondents.

After hearing both the learned counsels, this  
second appeal is admitted on following substantial  
question of law:-

(1) Whether the Appellate Court was right  
in not formulating a point in respect of actual cultivating  
the possession of the respondent/original plaintiff in  
respect of suit properties?

(2) Whether the appellate court was right  
in upsetting the judgment of civil court?

**CA No. 501/2017**

Heard the learned counsels for the parties. This Court while issuing notice on 19/6/2017 on this application has directed parties to maintain status-quo until further orders.

Today this Court has admitted the appeal. Both parties are claiming that they are in actual cultivating possession. In that view of the matter, parties to maintain status-quo as on 19/6/2017.

**JUDGE**

RSG