



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR
SECOND APPEAL NO.116 OF 2026

Waman V. Raut (dead) thru LR's Raibai and ors.

Vs.

Pandurang R. Raut (Dead) thru. LR's Vithabai and ors.

*Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order*

Court's or Judge's Order

Mr. Harish Dangre, Advocate for appellants.

CORAM : ROHIT W. JOSHI, J.

DATE : 24.03.2026.

. Issue notice to the respondents on the following substantial question of law:-

I. Whether the case of oral partition could be accepted only on the basis of stray admission of the plaintiff in his cross-examination, although jointness of the suit properties can be inferred from the 7/12 extracts with respect to the same, which are at Exhibits-63 to 65.

2. Notice is made returnable on **23.04.2026**.

3. The appellants are directed to serve the respondents by speed post in addition to regular mode of service and file affidavit of service before the returnable date.

4. Call for record and proceedings.

5. Parties are put to notice that the appeal may be heard finally at the stage of admission.

(ROHIT W. JOSHI, J.)