



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 3119 OF 2026

PUNDLIK S/O. SHANKAR WAKADE
VS
SURESH S/O. NAMDEV CHILBULE

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. N.R. Bhisikar, Advocate for petitioner.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : 17.04.2026

Heard learned counsel for the petitioner.

2. The petitioner's challenge is limited to the conditions imposed by the appellate Court while passing the judgment and order dated 03.02.2026, by which the matter is remanded to the trial Court for fresh consideration.

3. Learned counsel for the petitioner submits that the Condition No.3(ii) and 3(iv), imposed by the appellate Court, are over lapping and causes prejudice to the rights of the petitioner, particularly in view of the fact that the suit itself is remanded which is directed to be decided afresh after leading evidence.

4. In view of this, issue notice to the respondent, returnable on 04.05.2026.

5. The petitioner is permitted to serve the respondent by private mode, in addition to regular mode of service, including service on the learned Advocate appearing on behalf of the respondent/s before the trial Court and file affidavit of service in that regard by next date.

(Prfulla S. Khubalkar, J.)