



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

SECOND APPEAL NO. 464 OF 2017

LAXMINARAYAN D SOMANI (Dead) THRU. Lrs NANDKISHOR SOMANI AND OTHERS
VERSUS
DIPCHAND DAGDULAL SOMANI AND ANOTHER

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

Court's or Judge's Order

Mr. R. L. Khapre, Sr. Advocate with Mr. N.R. Saboo, Advocate for the appellants.

Mr. S. P. Bhandarkar, Advocate for respondent nos.1 and 2.

CORAM : M. W. CHANDWANI, J.

DATE : JULY 23, 2025.

1. The appellants by filing a pursoris dated 23.07.2025, which is taken on record, sought to frame the following additional substantial questions of law :

i] Whether the Court below justified in accepting plea of oral partition of 1958 in absence of particulars of shares given to members of all family members, even though sought by certifying authority by order dated 17.05.1961 and as such said finding is perverse finding of fact ?

ii] Whether self-serving admission given by Laxminarayan for saving property for attachment in sale can be said to be binding under Section 31 of the Evidence Act, particularly when explanation in that regard is given ?

2. The respondents to respond.

3. Stand over to 06.08.2025.

(M.W.Chandwani, J.)



2026:BHC-NAG:5781

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