



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

SECOND APPEAL NO.225 OF 2023

Subhash Sukhdeo Tayade & Anr Vs. Sk. Rauf Sk. Lal & others

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

Court's or Judge's orders.

Shri H.D. Futane, Advocate for appellants.
Shri S.A. Mohta, Advocate for respondent nos.1 to 4.

CORAM : M.W. CHANDWANI, J.

DATE : 20.03.2025.

1. Heard.
2. Following substantial question of law is framed:

“Whether the learned trial Court and the learned first appellate Court were right in granting decree for mandatory injunction for removal of encroachment without appointing cadastral surveyor and relying on the version of the Court Commissioner who in its report gave actual and factual position of the plot?”

3. Stand over to 27.03.2025.

JUDGE

Wagh