



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

SECOND APPEAL NO.211 OF 2025

Pundlik Waghji Shelke .Vs. Shrikrushna Pundlik Shelke 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. M.K. Thakkar, Advocate for appellant.

Ms C.D. Lilhare, Advocate for respondents.

CORAM : ROHIT W. JOSHI, J.

DATE : 09/09/2025

1. Issue notice to the respondents on the following substantial questions of law :

(i) Whether the learned First Appellate Court was right in reversing the findings of the fact recorded by the learned trial Court without considering the reasons recorded by the learned trial Court ?

(ii) Whether the sale transaction under which, the father purchased the property in the name of his son, can be said to be hit by Section 4 of the Prohibition of Benami Property Transactions Act, 1988 ?

(iii) Whether the finding that the suit was barred by the limitation is just and proper ?

2. Ms. Chahal Lilhare, learned counsel waives service of notice for the respondent Nos.1 and 2.

3. Call record and proceedings.

4. List the appeal for further consideration on **07.10.2025.**

5. Parties are put to notice that the appeal will be heard finally at the stage of admission.
6. Office to ensure that the record and proceedings is received before the next date.

(ROHIT W. JOSHI, J)