

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
APPELLATE SIDE
NAGPUR BENCH, NAGPUR

SECOND APPEAL NO. 422 OF 2014

Madhukar Shankarrao Kale Vs. Manish Raviraj Ubhad & Ors.

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

Court's or Judge's Order

Shri K. R. Lule Adv for appellant.
Shri R. D. Bhuibhar Adv for respondents.

CORAM: A. S. CHANDURKAR J.

DATED: 09 JANUARY, 2015.

Heard. **Admit** on the following substantial
question of law:

Whether the defence as raised by the appellant on
the basis of agreement dated 23.03.1994 was required to be
considered in the light of the fact that the appellant had filed
suit for specific performance of aforesaid agreement?

Shri Bhuibhar, learned counsel waives notice of
second appeal on behalf of respondent nos. 1 to 4.

To be heard along with Second Appeal No. 238 of
2012.

JUDGE

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