



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

**FIRST APPEAL NO. 569 OF 2018**

(Rajesh s/o Manohar Illmulwar and anr Vs. Manojkumar s/o Mansukhlal Khivasara )

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

Court's or Judge's orders

Mr. R.R. Gour, Advocate for appellant.  
Mr. N.V. Fulzele, Advocate for the respondent.

**CORAM : ABHAY J. MANTRI, J.**

**DATED : 11-06-2025**

Heard.

2. It seems from the record that by order dated 31.10.2018, this Court has framed a substantial question of law and granted ad-interim relief in terms of prayer clause (iii), and since then, the interim order is in favour of the appellant. I would like to reproduce said substantial question of law as under:

*“Whether the appellate Court has rightly appreciated the entire evidence on record while reversing the finding recorded by the trial Court that the encroachment, as alleged to have been committed by the defendant, had not been proved?”*

3. In view of the above and considering the facts of the case, the appeal is '**Admitted**'. The interim order shall continue till the disposal of the appeal.

4. Mr. Fulzele, learned counsel for the respondent, waives service of notice for the respondent.

5. The appellant is directed to supply a copy of the private paper book or deposit the amount with the Registry for preparation of the paper book within two weeks from today.

6. List the appeal on the final hearing board in due course.

**(ABHAY J. MANTRI, J.)**

*Belkhede*