

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S).8690 OF 2017  
(Arising out of SLP (C) No(s).34911 of 2015)

BHAUSAHEB S/O PANDURANG WAGHASKAR DECEASED  
THROUGH LRS. GOVIND S/O  
BHAUSAHEB WAGHASKAR & ORS.

APPELLANT(S)

VERSUS

GANGUBAI W/O BALKRISHNA LAHARE  
DECEASED THROUGH LRS VIJAY S/O  
BALKRISHNA LAHARE & ORS.

RESPONDENT(S)

O R D E R

Leave granted.

In view of judgment of this Court in (2016) 2 SCC 36 titled as "Prakash & Ors. Vs. Phulavati & Ors.", the impugned judgment is set aside. The matter is remanded back to the High Court for fresh disposal on merits in accordance with law.

The parties are directed to appear before the High Court for further proceedings on 28<sup>th</sup> August, 2017.

The appeal is disposed of in above terms.

Pending applications, if any, shall also stand disposed of.

.....J.  
[ADARSH KUMAR GOEL]

NEW DELHI  
4<sup>th</sup> JULY, 2017

.....J.  
[UDAY UMESH LALIT]

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 34911/2015

(Arising out of impugned final judgment and order dated 21-09-2015 in SA No. 469/2012 passed by the High Court of Bombay at Aurangabad)

BHAUSAHEB S/O PANDURANG WAGHASKAR DECEASED  
THROUGH LRS. GOVIND S/O  
BHAUSAHEB WAGHASKAR & ORS.

Petitioner(s)

VERSUS

GANGUBAI W/O BALKRISHNA LAHARE  
DECEASED THROUGH LRS VIJAY S/O  
BALKRISHNA LAHARE & ORS.

Respondent(s)

Date : 04-07-2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ADARSH KUMAR GOEL  
HON'BLE MR. JUSTICE UDAY UMESH LALITFor Petitioner(s) Mr. Sandeep S. Deshmukh, Adv.  
Mr. Nar Hari Singh, AOR

For Respondent(s) Mr.Nishant Ramakantrao Katneshwarkar, AOR

UPON hearing the counsel the Court made the following  
O R D E R

Leave granted.

The appeal is disposed of in terms of the signed order.

Pending applications, if any, shall also stand disposed  
of.(SWETA DHYANI)  
SR.P.A.(VEENA KHERA)  
ASSISTANT REGISTRAR  
(Signed order is placed on the file)