

**S U P R E M E C O U R T O F I N D I A**  
**RECORD OF PROCEEDINGS**

**Petition(s) for Special Leave to Appeal (C) No(s). 11742/2021**

(Arising out of impugned final judgment and order dated 04-01-2020 in SA No. 539/2007 passed by the High Court Of Judicature At Bombay At Nagpur)

**SUMAN BAI & ORS.** Petitioner(s)

## VERSUS

**GANGABAI TRYAMBAKRAO KATRE & ORS.** **Respondent(s)**

**(FOR ADMISSION and I.R. and IA No.91212/2021-EXEMPTION FROM FILING  
C/C OF THE IMPUGNED JUDGMENT )**

Date : 06-08-2021 This petition was called on for hearing today.

## **CORAM :**

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL  
HON'BLE MR. JUSTICE HRISHIKESH ROY

**For Petitioner(s)** Ms. Ankita Chaudhary, AOR  
Mr. Chetan Dhore, Adv.  
Ms. Himanshi Shakya, Adv.

## For Respondent(s)

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

Application for exemption from filing C/C of the impugned judgment is allowed.

Learned counsel for the petitioners contends that the grievance is only in respect of para 17 of the impugned order, inasmuch as the share has been given in the grandmother's property to the children born out of the lady who was stated to be the second wife and thus, the children should not inherit a

share in that property though she has no quibble in the share granted in the father's property.

She also submits that a larger question as to whether in the ancestral property, the said children from a second marriage would have a share is pending consideration before this Court in C.A. No. 2844/2011- *Ravanasiddappa & Anr. vs. Mallikarjun & Ors, (2011) 11 SCC 1.*

Issue notice limited to the aforesaid aspect.

In the meantime, the direction regarding share granted by the impugned order to the respondents 2 and 3 inherited from the grand mother is stayed.

The matter be listed after the judgment in the aforementioned case is pronounced.

[CHARANJEET KAUR]  
ASTT. REGISTRAR-cum-PS

[POONAM VAID]  
COURT MASTER (NSH)