

RSA 157/2013  
BEFORE  
HON'BLE MR. JUSTICE B.D.AGARWAL

Heard Sri D Mazumdar, learned counsel for the appellant.

This second appeal is admitted for hearing on the following substantial questions of law:

- (i) Whether the finding of the learned courts below on issue No.9 that Amiya Kakoti is not the wife of Deep Kakoti is perverse for non consideration of the specific statements given by the DW. 1 and DW.2.
- (ii) Whether in view of the finding of the learned appellate court below that all the sons of the original owner of the suit land late Liladhar Kakoti inherited the suit land, the finding on issue no.4 that Deep Kakoti and after his death his wife Amiya Kakoti did not become the owner of the suit property is unsustainable in law?
- (iii) Whether the learned courts below were justified in holding that the limited right of the owners of the suit land covered by Annual Patta could not be transferred to the appellant/defendant No.1 that too for want of registration of the sale deed?

Issue notice upon the respondents.

Notices are returnable by 7.1.2014.

Steps within 10(ten) days by ordinary process.

Until further order operation of the impugned judgments shall remain stayed and status-quo of the suit land shall be maintained by both the parties.

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