

RSA 217/2011
BEFORE
THE HON'BLE MR. JUSTICE B.P. KATAKEY

Heard Mr. Roy, learned counsel for the appellants.

Appeal is admitted for hearing on the following substantial questions of law:-

- (1) Whether in a suit filed by the plaintiff for declaration that certain sale deeds are fraudulent, the burden lies on the plaintiff to prove that such sale deed was fraudulently obtained or fraud has been committed?
- (2) Whether the learned First Appellate Court is justified in decreeing the suit of the plaintiff declaring that Exhibits- Gha, Unga and Cha sale deeds are void, on the ground that the defendants could not prove that those sale deeds were duly executed?

Call for the records.

Issue usual notices.

Steps by 6th January, 2012.

List this case for hearing in due course, subject to service of notice and receipt of the records.