

RSA 168/2014

BEFORE

HON'BLE MR. JUSTICE SUMAN SHYAM

Heard Mr. T.C. Khetri, learned Sr. counsel for the appellant.

Admit this appeal.

Issue notice returnable within 4 weeks.

Steps by registered post with A/D as well as by ordinary process for service of notice upon the respondent within 7 days from today.

This second appeal would be heard on the following substantial questions of law:

1. Whether the judgment and decree passed by the First Appellate Court is in contravention with the mandate of Order XX Rule 18 CPC due to omission on the part of the court in declaring the shares of all the parties interested in the property?

2. Whether the findings recorded by the court below in respect of issue No. 4 is perverse for not considering the claim of the sole ownership of the property by late Ijjad Ali?

The appellant would be at liberty to urge any other substantial question of law that may arise at the time of hearing by taking leave of this Court.