

**S.A.No.817 of 2023****P.T.ASHA, J.,**

These Second Appeals are admitted on the following Substantial Questions of law:

1. Is the appellate court justified in setting aside the order of the Trial Court, despite the fact that no document was produced which are all marked by the Plaintiff in the suit and appeal, which are necessary to prove all his claims?

2. Is it correct on the part of the Appellate Court in passing a decree without making necessary parties as parties to the suit, who are presently in occupation of the suit schedule property? Its MISJOINDER OF PARTIES TO THE SUIT.

3. Article 21 of Constitution of India confers Right to Life for all citizens of India. Is appellate court justified



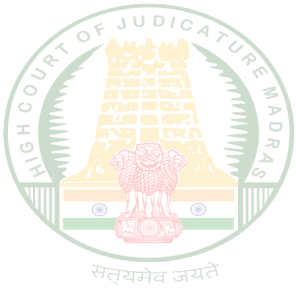
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by not considering the situation of Appellant who had been deserted by Respondent by order of Divorce without paying Maintenance, as ordered by the court, and being senior citizen living with her son without livelihood, to vacate & handover vacant possession even though she is not in possession of suit property?

4. Is it correct on the part of the Appellate Court in passing a decree saying to vacate the house just because by Order of Divorce, Appellant here in, losses her right to stay with her son during her lean days of her life?

5. Is Appellate Court not taking consideration that at no where, neither in suit nor in Appeal, Appellant herein claims share in the property nor taken possession of the property instead she lives with her son as his mother since her husband /Plaintiff in Suit deserted her without paying



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Maintenance?

6. Is appellate court justified that Maintenance of Parents by Children is not legal obligation hence forth Appellant herein has been taken care by her son to stay in same house where he resides?

7. Is the Appellate court justified in not taking into consideration the contribution of the Appellant in the new construction of the superstructure on the property?

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Note: Registry is directed to send a copy of the substantial questions of law framed by this Court along with the Notice.



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