

31.7.2008 Present: Mr. Bhuvnesh Sharma, Advocate for the appellant.
Mr. Ashwani Kumar Sharma, Advocate for respondents No. 1 & 2.

Admit on the following substantial questions of law:

1. Whether the learned Ist Appellate Court below is justified to differ with the well reasoned judgment rendered by the learned District Judge, Bilaspur in Civil Appeal No. 65/95 titled Jagdish Vs. Inder Singh & others decided on 8.9.2003 which was allowed in favour of the appellant/defendant in the facts and circumstances wherein this Hon'ble Court in RSA No. 499/2003 has set aside the judgment aforesaid only on the ground that the learned District Judge has not touched the ground of abetment while deciding the said appeal?
2. Whether the judgment and decree under challenge is vitiated and attached perversity in so much so the same has been passed against the mandate of RSA 499/03 decided by this Hon'ble Court between the same parties pertaining to the same lis wherein the matter was remanded back to adjudge the effect of abetment only?

CMP No.93 of 2006:

Heard. Ad-interim order dated 4.3.2008 is made absolute. The application is disposed of.

(Rajiv Sharma), J.

July 31, 2008.
(cr)