

**Court No. - 7**

**Case :-** SECOND APPEAL No. - 179 of 2002

**Appellant :-** Sukhaie And Others

**Respondent :-** Shyam Karan And Others

**Counsel for Appellant :-** R.K.Chitragupt,J.N. Singh,S.P. Giri,Siddharth Srivastava

**Counsel for Respondent :-** D.K.Srivastava,Dilip Srivastava,Hari Shankar  
Chaurasia

**Hon'ble J.J. Munir,J.**

This appeal was admitted to hearing *vide* order dated 04.03.2002 without framing substantial questions of law and by a mere reference to ground nos. 3, 5 and 6 in the memorandum of appeal.

The following substantial questions of law are involved in this appeal:

1. Whether the Appellate Court can reverse the Trial Court's decree without specifically setting aside findings recorded by the Trial Court in keeping with the mandate under Order XLI Rule 31 C.P.C.?
2. Whether the decree of permanent injunction can be passed without the Court recording a finding of possession for the plaintiff?

List this appeal for hearing on **19.02.2024**. Liberty to mention.

**Order Date :-** 30.1.2024

Vijay