

Court No. - 16

Case :- SECOND APPEAL No. - 686 of 2013

Appellant :- Smt. Savitri Devi Since Deceased And 9 Others

Respondent :- Shri Kamlesh 5 Others

Counsel for Appellant :- Akhilanand Pandey, Kunal Ravi Singh, Manjari Singh, S.C. Varma

Counsel for Respondent :- S.N. Singh, Rajesh Kumar, S. Singh

Hon'ble Rajiv Joshi, J.

Heard Sri Kunal Ravi Singh, learned counsel for the appellants.

The suit filed by the plaintiff-appellants was decreed by the trial court and the decree of the trial court was reversed by the lower appellate court.

The only contention of learned counsel for the appellants is that no point of determination has been framed by the lower appellate court which is mandatory under Order 41 Rule 31 of C.P.C.

Matters requires consideration.

Admit on the following substantial question of law:-

Whether the lower appellate was justified while deciding the appeal without framing any point of determination which is mandatory in view of the Order 41 Rule 31 of C.P.C.

Since the counsel for the respondent had already represented, there is no need to issue notice upon the respondents.

List in due course.

Until further orders of this Court, parties are directed to maintain status quo as on today.

Order Date :- 14.2.2019

Akbar