

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS
CIVIL APPEAL NO(s). 2401 OF 2002

SANKARAN BHASKARAN & ORS.

Appellant (s)

VERSUS

KUMARAN SARASAMMA & ORS.

Respondent(s)

(With appln(s) for exemption from filing O.T. and permission to file additional documents and with office report)

Date: 16/01/2013 This Appeal was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE B.S. CHAUHAN
HON'BLE MR. JUSTICE V. GOPALA GOWDA

For Appellant(s) Mr. S.Balakrishnan, Sr. Adv.

Mr. T.G. Narayanan Nair, Adv.
Mr. K.N. Madhusoodhanan, Adv.

For Respondent(s)

Mr. V. Giri, Sr. Adv.
Ms. Neelam Saini, Adv.
Mr. K. Rajeev, Adv.

Mr. M.P. Vinod, Adv.
Mr. Dileep Pillai, Adv.

UPON hearing counsel the Court made the following
O R D E R

After hearing the parties at length, we are, prima facie, of the view that the substantial question which ought to have been framed by the High Court and the preliminary issue by the trial Court as well as the First Appellate Court could have been as to whether there could be a gift with certain conditions and, if not, whether the gift deed could be termed as will and in case it can be termed as a will, whether it was permissible for the executor of the gift deed to execute a valid sale deed and, if so, if the sale deed has been executed in the lifetime by the executor of the will, whether the sale can be also valid.

Learned counsel for the parties prays and are granted time to consider this issue being a pure question of law.

List the matter for further hearing on Friday, the 18th
January, 2013 subject to overnight part heard.

	(DEEPAK MANSUKHANI)		(M.S. NEGI)	
	Court Master		Court Master	