

SLP(C)... 1019 OF 2001

ITEM No.10

Court No. 8

SECTION IVB

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal(Civil)..... CC 1019/2001

(From the judgement and order dated 21/09/2000 in RSA 4281/99
of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

NARENDER MOHAN & ORS.

Petitioner (s)

VERSUS

OM PRAKASH & ORS.

Respondent (s)

With IA 1 (C/delay in filing SLP)

Date : 19/02/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SYED SHAH MOHAMMED QUADRI
HON'BLE MR. JUSTICE S.N. PHUKAN

For Petitioner (s)

Mr. K.R. Nagaraja,Adv.

For Respondent (s)

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

.....L.....I.....J
.SP2

Delay is condoned.

After hearing the learned counsel quite at length, we
are unable to find any incorrect statement of fact recorded by
the High Court when it dismissed the Second Appeal by passing
the following order.:

.....L.....I.....J
.SP1

"Both the courts below have held that the nature of
property is Kabristan from time immemorial and the
appellants have no right or title in the property.
This being the finding of fact, no case for
interference in second appeal is made out.
Dismissed."

...2

.....L.....I.....J

.SP2

We have perused the order of the trial Court as well as of the First Appellate Court. In our view, the High Court is justified in not interfering in the second appeal. The Special Leave Petition is accordingly dismissed.

.SP1

(J.S. Rawat)
Court Master

(Kanwal Singh)
Court Master