

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

CIVIL APPEAL NO(s). 5193 OF 2001

KUMARI CHANDRAVATHI

Appellant (s)

VERSUS

PADMAVATHI & ORS.

Respondent(s)

(With prayer for interim relief and office report)

Date: 11/10/2007 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. MATHUR
HON'BLE MR. JUSTICE MARKANDEY KATJU

For Appellant(s) Mr. D.P. Chaturvedi, adv.
Mr. S.N. Bhat, Adv.
Mr. N.P.S. Panwar, ADV.

For Respondent(s)

UPON hearing counsel the Court made the following
ORDER

The appeal is dismissed in terms of the signed order. No order as to
costs.

(Ajay Kr. Jain)
Court Master

(Vijay Dhawan)
Court Master

(Signed order is placed on the file)
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 5193 OF 2001

Kumari Chandravathi Appellant

Versus

Padmavathi & Ors. Respondents

ORDER

Heard learned counsel for the appellant.

We have perused the impugned order passed by the High Court. To us
the view taken by the High Court seems to be justified. In fact, the suit property
belonged to one Kamla and her brother Ramayya Shetty had only a life estate and
he inducted the appellant herein as a tenant in the premises. After Ramayya

Shetty died, the property reverted back to Kamla. Therefore, Kamla is the lawful owner of the suit property. In these circumstances, the view taken by the High Court appears to be correct and there is no ground for us to interfere with the impugned order. This appeal is accordingly dismissed. No order as to costs. So far as the question of occupancy right with regard to agricultural land is concerned, we are informed, that the matter is pending before the High Court. However, we do not want to express any opinion on the same.

(A.K.MATHUR)

.....J.

(MARKANDEY KATJU)

.....J.

New Delhi
October 11, 2007