

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

CIVIL APPEAL NO(s). 4958 OF 2001

ROSAMMA AND ORS.

Appellant (s)

VERSUS

PARAPPALLI NIRAPPEL BAVA & ORS.

Respondent(s)

(With 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. Mohinder J.S. Rupal, Adv.
for M/S Gagrat & Co.,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. 4958 OF 2001

Rosamma and Ors. Appellants

Versus

Parappalli Nirappell Bava (Dead by
LRs.) & Ors. Respondents

ORDER

We have heard learned counsel for the parties and perused the
impugned order of the High Court. We are not inclined to interfere with the
impugned order in view of the finding of fact recorded by the First Appellate
Court that the respondents-plaintiff were ready and willing to pay part of the
consideration but there was a lack of willingness on the part of the appellants-
defendants. Therefore, in the facts and circumstances of the case, the view taken

by the High Court appears to be correct. Accordingly, this appeal is dismissed
with no order as to costs.

(A.K.MATHUR)

.....J.

(MARKANDEY KATJU)

.....J.

New Delhi
October 11, 2007