

ITEM NO.4

COURT NO.2

SECTION XI -A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No.5134/2012

(Arising out of impugned final judgment and order dated 08-11-2011
in FAO No. 14/2003 passed by the High Court of Kerala at Ernakulam)

SHIVARAMAN

Petitioner(s)

VERSUS

BALARAMAN & ORS.

Respondent(s)

WITH S.L.P.(C) Nos.16619-16622/2012 (XI -A)

Date : 28-07-2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DIPAK MISRA
HON'BLE MR. JUSTICE A.M. KHANWILKAR

For Petitioner(s) Mr. V. Giri, Sr. Adv.
Mr. K. Rajeev, AOR
Mr. Shinoj K. Narayanan, Adv.
Mr. Bijo Mathew Joy, Adv.

For Respondent(s) Mr. Siddhartha Dave, Adv.
Ms. Jemtiben AO, Adv.
Mr. A. Raghunath, AOR

Mr. Jaimon Andrews, Adv.
Mr. Naresh Kumar, AOR

Mr. K.P. Rajagopalan, Adv.
Mr. A. Venayagam Balan, AOR

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

Heard in-part.

Put up for further hearing on 4th August, 2017.

It is submitted by Mr. V. Giri, learned senior counsel appearing for the petitioners that the High Court should not have remanded the matter to the lower appellate court after returning a finding with regard to right, title and interest in favour of the respondent. It is contended by him that he has brought on record a certificate granted by the statutory authority and the First Appellate Court has relied upon the same.

Mr. Siddhartha Dave, learned counsel appearing for the respondents would submit that the First Appellate Court has declared the right, title and interest of the respondent. He intends to verify as to what precise finding has been returned by the First Appellate Court with regard to the certificate in question.

Let the matter be listed on 4th August, 2017.

(Chetan Kumar)
Court Master

(H.S. Parasher)
Assistant Registrar