

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO.6109 OF 2008

RAMA KANT PANDEY & ORS.

APPELLANT(S)

VERSUS

RAM DEO PANDEY & ORS.

RESPONDENT(S)

O R D E R

Heard learned counsel for the parties.

The impleadment was sought for by the present appellants. They claimed that a registered gift deed was executed on 8th October, 1969 and an application for impleadment filed by them before the Additional Commissioner, Varanasi before whom the appeal is pending had been rejected.

Without commenting on the merits of the case as the appellants have some interest in the property it would be appropriate to permit their impleadment subject to the just objections to be raised by the other parties as to defence available to them. Impleadment application is thus allowed as appeal is stated to be pending before the Additional Commissioner, Varanasi which shall be decided in accordance with law after hearing the appellants in

case it has not been decided. It is made clear that we have not considered the merits of the case nor we have commented on the merits of the case.

The impugned orders passed by the High Court as well as the Additional Commissioner (Judicial), Varanasi Region, Varanasi are set aside.

The appeal is allowed to the aforesaid extent.

.....J.
[ARUN MISHRA]

.....J.
[UDAY UMESH LALIT]

NEW DELHI
MAY 2, 2018

ITEM NO.106

COURT NO.11

SECTION III-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

Civil Appeal No(s). 6109/2008

RAMA KANT PANDEY & ORS.

Appellant(s)

VERSUS

RAM DEO PANDEY & ORS.

Respondent(s)

Date : 02-05-2018 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARUN MISHRA
HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Appellant(s)

Mr.Manoj Prasad, Sr.Adv.
Mr.T.Mahipal, Adv.
Mr.Aabhas Parimal, Adv.

For Respondent(s)

Ms.Garima Prashad, Adv.
Ms.Susmita Mahala, Adv.

Mr.Gunnam Venkateswara Rao, AOR

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

The appeal is allowed in terms of the signed order.

Pending applications, if any, stand disposed of.

(Ashok Raj Singh)
Court Master
(Signed Order is placed in the file)

(Suman Jain)
Court Master