

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

CIVIL APPEAL NO(s). 2065 OF 2006

GHASI(DEAD) BY LRS.

Appellant (s)

VERSUS

MADOLAL

Respondent(s)

(With office report)

Date: 27/07/2011 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MARKANDEY KATJU
HON'BLE MR. JUSTICE CHANDRAMAULI KR. PRASAD

For Appellant(s) Mr. Palav Sisodiya, Sr. Adv.
Mr. H.D. Thanvi, Adv.
Mr. Sarad Kumar Singhania, Adv.

For Respondent(s) Mr. Shakil Ahmed Syed, Adv.
Mr. Shuaib-uddin, Adv.
Mr. M. Parvez Dabas, Adv.

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

The Appeal is allowed in terms of the signed
order.

(Rajesh Dham)
Court Master

(Indu Satiya)
Court Master

(signed order is placed on the file)
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(s). 2065 OF 2006

GHASI(DEAD) BY LRS.

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VERSUS

MADOLAL

Respondent(s)

O R D E R

This Appeal has been filed against the impugned
judgment dated 24.11.2004 passed by the High Court of Madhya
Pradesh, Bench at Indore, in Civil Second Appeal No. 343 of

1984.

On the facts of the case, and after perusal of the impugned judgment and record, we are of the opinion that the High Court has not answered the question of law which was framed.

Hence, we set aside the impugned judgment and remand the matter to the High Court for a fresh decision expeditiously.

The Appeal stands allowed accordingly.

No costs.

.....J.
(MARKANDEY KATJU)

NEW DELHI;
JULY 27, 2011

.....J.
(CHANDRAMAULI KR. PRASAD)