

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 5922 OF 2014  
(ARISING OUT OF S.L.P. (C) NO. 8720 OF 2012)

MADDIPATTI SATYAVATHI

... APPELLANT(s)

Versus

POTHANA SESHAGIRI RAO

... RESPONDENT(s)

)

O R D E R

Leave granted.

2. Mr. Shail Kumar Dwivedi, learned counsel for the respondent fairly submits that the parties were not heard on the substantial questions of law on which the impugned judgment is based.

3. In view of the above, we are satisfied that the procedure contemplated under Section 100 of the Civil Procedure Code, 1908 has not been adhered to by the High Court and the impugned judgment cannot be sustained.

4. Civil Appeal is allowed. The impugned judgment is set-aside. Second Appeal No. 375 of

Signature Not Verified

Digitally signed by  
Pardeep Kumar  
Date: 2014.07.05

2005, titled "Pothana Seshagiri Rao vs. Maddipati

16:37:47 IST  
Reason:

Satyavathi" is restored to the file of the High  
: 2 :

Court. The High Court is requested to frame the substantial question(s) of law afresh and then proceed with the hearing of the matter. No costs.

.....CJI.  
(R.M. LODHA)

.....J.  
(MADAN B. LOKUR)

NEW DELHI;  
JULY 3, 2014  
ITEM NO.25

.....J.  
(KURIAN JOSEPH)  
COURT NO.1

SECTION XIIA

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

Petition(s) for Special Leave to Appeal (C) No(s). 8720/2012

MADDIPATTI SATYAVATHI

Petitioner(s)

VERSUS

POTHANA SESHAGIRI RAO

Respondent(s)

[with prayer for interim relief and office report)

Date : 03/07/2014 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE MADAN B LOKUR  
HON'BLE MR. JUSTICE KURIAN JOSEPH

For Petitioner(s) Mr. A.T.M.Rangaramanujam, Sr. Adv.  
Mr. Anil Gaur, Adv.  
Mr. Shanti Kumar Jaisani, Adv.  
Mr. Mukesh Singh, Adv.  
Mr. Dipankar Das, Adv  
Ms. Anu Gupta ,Adv.

For Respondent(s) Mr. Shail Kumar Dwivedi, Adv.  
Mr. Gunnam Venkateswara Rao ,Adv.  
Mr. Siddharth Krishna Dwivedi, Adv.

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

Leave granted.  
Civil Appeal is allowed in terms of  
signed order. Pending application(s), if any,  
stands disposed of.

(PARDEEP KUMAR)  
AR-cum-PS

(RENU DIWAN)  
COURT MASTER

[SIGNED ORDER IS PLACED ON THE FILE]