

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 3647/2011

MUTHARI DEVI & ORS.

APPELLANT(S)

VERSUS

DHARAMBIR SINGH

RESPONDENT(S)

O R D E R

I.A. No. 18495/2023 for condonation of delay in filing application for substitution and I.A. No. 18490/2023 for substitution are allowed, subject to all just exceptions.

In view of the concurrent findings of the trial Court, the first appellate Court and the second appellate Court that the parties had entered into an agreement to sell on 02.11.1999 in respect of land comprised in Khewat No. 262 min, Khatoni No. 338, village Parnala, Tehsil Bahadurgarh, District Jhajjar, Haryana and that Rs.50,000/- (Rupees fifty thousand only) was paid by the respondent out of the total sale consideration of Rs.2,25,000/- (Rupees two lakhs twenty five thousand only), we do not find any good ground and reason to upset the concurrent findings. Accordingly, the appeal is dismissed.

At this stage, we must record that on a suggestion given by the court, the learned counsel for the respondent has stated that the respondent has agreed to pay an amount of Rs.15,00,000/- (Rupees fifteen lakhs only), instead of the balance amount of

Rs.1,75,000/- (Rupees one lakh seventy five thousand only). The respondent would deposit Rs, 15,00,000/- before the trial Court within a period of 60 days from today and it will be open to the appellants to withdraw the amount upon execution of the transfer documents.

Subject to the aforesaid, the decree, as passed, is affirmed and the appeal is dismissed without any order as to costs.

Pending application(s), if any, shall stand disposed of.

.....J.
(SANJIV KHANNA)

.....J.
(M.M. SUNDRESH)

NEW DELHI;
MARCH 22, 2023.

ITEM NO.104

COURT NO.7

SECTION IV

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. 3647/2011

MUTHARI DEVI & ORS.

Appellant(s)

VERSUS

DHARAMBIR SINGH

Respondent(s)

(IA No. 18490/2023 - APPLICATION FOR SUBSTITUTION and IA No. 18495/2023 - CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN.)

Date : 22-03-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MR. JUSTICE M.M. SUNDRESH

For Appellant(s)

Mr. M.C. Dhingra, AOR
Mr. Gaurav Dhingra, Adv.
Mr. Vikrant Yadav, Adv.
Ms. Vijay Laxmi, Adv.
Mr. Arvind Kumar Singh, Adv.

For Respondent(s)

Mr. Brijender Chahar, Sr. Adv.
Mr. Shashi Bhushan, Adv.
Mrs. Jyoti Chahar, Adv.
Mr. Karan Chahar, Adv.
Ms. Pooja Chahar, Adv.
Mr. Vinay Garg, AOR

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

I.A. No. 18495/2023 for condonation of delay in filing application for substitution and I.A. No. 18490/2023 for substitution are allowed, subject to all just exceptions.

The appeal is dismissed, in terms of the signed order.

Pending application(s), if any, shall stand disposed of.

(DEEPAK GUGLANI)
AR-cum-PS

(R.S. NARAYANAN)
COURT MASTER (NSH)

(signed order is placed on the file)

