

ITEM NO.107

COURT NO.11

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. 4090/2010

CHARAN SINGH & ORS.

Appellant(s)

VERSUS

MOHINDER KAUR & ORS.
(WITH OFFICE REPORT)

Respondent(s)

Date : 28/08/2014 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE RANJAN GOGOI
HON'BLE MR. JUSTICE R.K. AGRAWAL

For Appellant(s)

Mr. V.K. Jhanji, Sr. Adv.
Ms. Jyoti Mendiratta, Adv.
Mr. Devanshu Kumar, Adv.

For Respondent(s)

Ms. Neelam Kalsi, Adv.
Mr. Vimal Chandra S. Dave, Adv.UPON hearing the counsel the Court made the following
O R D E RThe appeal is disposed of in terms of the signed
order.[VINOD LAKHINA]
COURT MASTER[ASHA SONI]
COURT MASTER

[SIGNED ORDER IS PLACED ON THE FILE]

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO. 4090 OF 2010

CHARAN SINGH & ORS. . . . APPELLANTS

VERSUS

MOHINDER KAUR & ORS. . . . RESPONDENTS

ORDER

After hearing the learned counsels for the parties at some length, we maintain the decree passed in favour of the plaintiff by all the courts below. However, at the same time, we modify the order of the High Court insofar as the findings with regard the Bajpur property is concerned, namely, that the same was never a part of coparcenary property and had been purchased by the plaintiff himself. We have considered it appropriate to carry out the aforesaid modification of the order of the High Court in view of the fact that the Bajpur

property was not the subject matter of the suit out of which the Second Appeal had arisen before the High Court.

With the aforesaid modification of the order, the appeal is disposed of.

Needless to say it is open for the appellants - defendants to raise all such claims with regard to the Bajpur property as may be open to them in law.

.....,J.
(RANJAN GOGOI)

.....,J.
(R.K. AGRAWAL)

NEW DELHI
AUGUST 28, 2014