

¶  
C.A.No. 24 OF 1999  
ITEM NO.112  
COURT No.2

SECTION IV-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. 24/1999

Channabasanagouda

Appellant(s)

Versus

Umeshgouda

Respondent(s)

( with office report )

DATE : 18/03/2004

This/These matter/matters was/were  
called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S. RAJENDRA BABU  
JUSTICE G.P. MATHUR

HON'BLE MR. JUSTICE D.M. DHARMADHIKARI

HON'BLE MR.

For Appellant(s) Mr. R.S. Hegde, Adv.  
Mr. Chandra prakash, Adv.  
Ms. Savitri Pandey, Adv.  
Mr. P Dinesh, Adv.

For Respondent(s) Mr. Shankar Divate

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

The appeal is allowed in terms of the signed order.

[ Charanjeet Kaur ]  
Court Master

[ Om Prakash ]  
Court Master

[ Signed order is placed on the file ]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 24 OF 1999

Channabasanagouda

..  
Appellant(s)

Versus

Umeshgouda

..  
Respondent(s)

O R D E R

In a second appeal, the High Court interfered with the decrees of the lower courts without even formulating any question of law as is required by Section 100 of the Code of Civil Procedure . This mandatory requirement is totally ignored by the High Court. In the circumstances, we set aside the judgment made by the High Court and remit the matter to the High Court after restoring the second appeal to its original number. The appeal is allowed accordingly.

.....J[ S. RAJENDRA BABU ]

.....J [ D.M. DHARMADHIKARI ]

.....J[ G.P.MATHUR ]

NEW DELHI,  
MARCH 18,2004.