

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 (Civil) No(s).11022/2003

(From the judgement and order dated 09/04/2003 in SA No. 183/1995 of The
HIGH COURT OF M.P AT GWALIOR)

LALJEET

Petitioner(s)

VERSUS

GOVINDSINGH & ORS.

Respondent(s)

(With appln. for accepting English translation and prayer for interim relief)

Date: 04/04/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE RUMA PAL

HON'BLE MR. JUSTICE C.K. THAKKER

For Petitioner(s) Mr.Sushil Kumar Jain,Adv.

Mr.A.P.Dhamija,Adv.

Mr.Sarad Singhania,Adv.

Mr.Punit Jain,Adv.

Mr.Ram Niwas,Adv.

Ms. Pratibha Jain,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following

O R D E R

Leave granted.

The appeal is disposed of but without any order as to costs.

(Usha Bhardwaj)

(Madhu Saxena)

P.S. To Registrar

COURT MASTER

Signed order is placed on the file.

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO..... OF 2005

(Arising out of SLP(Civil) No.11022 of 2003)

Laljeet Appellant(s)	..	Ap
Versus		
Govindsingh & Ors. Respondent(s)	..	R

O R D E R

None appears on behalf of the respondents despite service of notice.

Leave granted.

The appellant had filed a suit for specific performance against the respondents. The Trial Court had decreed the suit. The defendant No.3 in the suit, who had claimed that the property had been sold to him, filed an appeal. The appeal was

dismissed. The

defendant No.3 preferred a second appeal before the High Court. The High Court

decided all the questions in favour of the appellant. However, in the operative portion

of the High Court's decision the appeal has been allowed instead of being dismissed. In

the circumstances, we correct the operative portion of the decision of the High Court to

the extent that it records that the appeal succeeds. The remaining portion of the

judgment by which the concerned defendants have been directed to execute the sale

deed in favour of the appellant will remain. It will also be open to defendant No.3, the

subsequent

:2:

purchasers to claim any damages, if he is otherwise so entitled to in accordance with

law, from his vendor.

The appeal is, accordingly, disposed of but without any order as to costs.

.....J [RUMA PAL]

.....J [C.K. THAKK

ER]

NEW DELHI,

APRIL 04, 2005.

