



CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 2343 OF 2002@@  
CCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCC  
(Arising out of S.L.P.(C) No. 13545/2001)

Banmali ... Appellant (s)

Vs.

Purshottam and Ors. ... Respondent (s)

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Leave granted.  
Heard counsel for the parties.  
Repeatedly, this Court has held that the High Court while deciding the second appeal acquires jurisdiction only when it frames the substantial question of law in terms of Section 100 of the Civil Procedure Code.

We have perused the record. We find that none of the question that was framed by the High Court could be turned as substantial question of law. Under such circumstances, we send the case back to the High Court to decide the matter in terms of Section 100 of the Civil Procedure Code.

The appeal is allowed. There shall be no order as to costs.

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.SP1

.....J.  
(V.N. KHARE)

.....J.  
(ASHOK BHAN)

NEW DELHI  
MARCH 22, 2002.