

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

CIVIL APPEAL NO(s). 6953 OF 1999

MARIYAMMA AND ORS.

Appellant (s)

VERSUS

SHEENA SHETTY AND ORS.

Respondent(s)

(With office report)

Date: 24/11/2005 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.K. SEMA

HON'BLE MR. JUSTICE S.H. KAPADIA

For Appellant(s)

Mr. TLV Iyer, Sr, Adv,

Mr. Subramonium Prasad, Adv.

Mr. Gopal Krishan, Adv.

Mr. Rahul Kumar, Adv.

For Respondent(s)

Mr. P.P. Singh, Adv.

Mr. Rajiv Mehta ,Adv

UPON hearing counsel the Court made the following

O R D E R

The appeal is disposed of in terms of the signed order.

No costs.

(Ganga Thakur)

(Prem Prakash)

PS to Registrar

Court Master

Signed order is placed on the file.

IN

THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 6953 OF 1999

NARIYAMMA & ORS.

...APPELLANT(S)

Versus

SHEENA SHETTY & ORS.

...RESPONDENT(S)

O R D E R

Heard the parties.

In this appeal the High Court has upset the findings concurrently recorded by the

two courts without framing any substantial question of law in second appeal. This being the

position in law, the impugned order of the High Court is not sustainable, the same is set aside

and the matter is remitted back to the High Court for fresh decision after framing substantial

question of law.

The appeal is disposed of in the above terms. No costs.

.....J.

(H.K

. SEMA)

.....J.

.....

APADIA)

(S.H. K

New Delhi,

November 24, 2005.