

T

ITEM NO.2 (PH)

COURT NO.6

SECTION XVI

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).24083/2010

(From the judgement and order dated 23/03/2010 in SA No.330/1995 of the HIGH COURT OF PATNA)

SITA RAM YADAV

Petitioner(s)

VERSUS

KUSUM BALA DEVI & ORS.

Respondent(s)

(With appln(s) for permission to file addl. documents, exemption from filing O.T., prayer for interim relief and office report)

Date: 28/08/2012 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE AFTAB ALAM

HON'BLE MRS. JUSTICE RANJANA PRAKASH DESAI

For Petitioner(s)

Mr. Nagendra Rai, Sr. Adv.

Mr. Smarhar Singh, Adv.

Mr. Abhishek Kr. Singh, Adv.

Ms. Preeti Reshmi, Adv.

for Mr. T. Mahipal, Adv.

For Respondent(s)

Mr. S.B. Sanyal, Sr. Adv.

Mr. Akhilesh Kr. Pandey, Adv.

Mr. Sudhanshu Saran, Adv.

Mrs. Shalini Chandra, Adv.

Ms. Swati Chandra, Adv.

UPON hearing counsel the Court made the following

O R D E R

On hearing Mr. Nagendra Rai, learned senior counsel appearing for the petitioner, Mr. S.B. Sanyal, learned senior counsel appearing for the respondents and on going through the judgments of the courts below, we find that the High Court rightly interfered in the second appeal and restored the judgment and decree passed by the trial court

...2/-

: 2 :

by setting aside the judgment and decree of the first appellate court.

We are in agreement with the view taken by the High court and see no reason to interfere in the matter.

The special leave petition is, accordingly, dismissed.

|(N.S.K. Kamesh)

|(Sneh Bala Mehra)

| Court Master

| Court Master