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C.A.No. 863 OF 1998

ITEM No.103

Court No. 8

SECTION XIA

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. 863 of 1998

MANACAUD THAIKKAPALLY Appellant (s)

VERSUS

AYSHA BEEVI & ORS.Respondent (s)

(With office report)

Date : 12/11/2003 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SHIVARAJ V. PATIL  
HON'BLE MR. JUSTICE D.M. DHARMADHIKARI

For Appellant (s)Mr. T.L.V. Iyer,Sr.Adv.  
Mr. Subramonium Prasad,Adv.  
Mr. Abhay Kumar,Adv.  
Mr. R. Gopal Krishnan,Adv.  
Mr. S.N. Jha,Adv.  
Ms. Prachi Vajpai,Adv.

For Respondent (s)Mr. P. Krishnamoorthy,Sr.Adv.  
Mr. Romy Chacko,Adv.  
Mr. P.N. Pillai,Adv.  
Ms. V. Mohana,Adv.

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

Heard learned counsel for the parties from 3.15 p.m. to 3.55 p.m.

The civil appeal is dismissed.

No order as to costs.

[ T.I. Rajput ][ Shelly Sengupta ]  
Court Master Court Master

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 863 OF 1998

Manacaud Thaikkapally ...Appellant(s)

Versus

Aysha Beevi & Ors. ...Respondent(s)

O R D E R

Having heard the learned senior counsel for the parties, we are satisfied that the impugned order does not suffer from any infirmity. The High Court was right in holding that substantial question of law did not arise for consideration in the light of the facts and circumstances of the case. Keeping in view the contentions advanced before it, the High Court refused to interfere with the concurrent findings of fact, particularly noticing that the plaintiff failed to establish title to the suit property. In this view of the matter, we do not find any good ground to interfere with the impugned order. Hence, the civil appeal is dismissed, finding no merit in it, with no order as to costs.

.....J.  
[SHIVARAJ V. PATIL]

.....J.  
[D.M. DHARMADHIKARI]  
New Delhi,  
November 12, 2003.