

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.6710 OF 1999

HEMANT  
t(s)

Appellan

VERSUS

EKNATH & ANR.  
nt(s)

Responde

(With office report)

Date: 03/03/2005 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHAN

HON'BLE MR. JUSTICE A.K.MATHUR

For Appellant(s)

Mr. A.K. Sanghi, Adv.

For Respondent(s)

Mrs. Nanita Sharma, Adv.

Mr. Vivek Sharma, Adv.

Mr. Sandeep Chaudhary, Adv.

Mr. Janesh Singh, Adv.

UPON hearing counsel the Court made the following

O R D E R

The Appeal is dismissed in terms of the signed order.

(Parveen Kr. Chawla)

(Kanwal Singh)

Court Master

Court Master

[Signed Order is placed on the File]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.6710 OF 1999

Hemant

Appellant (s)

Versus

Eknath & Another

Respondent (s)

O R D E R

Suit filed by the appellant-plaintiff for specific performance of the agreement was dismissed by the trial court but the alternate relief of refund of money along with interest was allowed. In appeal, the order of the trial court was affirmed by the first appellate court.

Aggrieved against the judgments and decree passed by the courts below, the appellant filed the second appeal which has been dismissed in limine by the High Court by observing that " a substantial

question of law did not arise from the findings recorded by the courts below". We have perused the grounds of appeal of the second appeal in the High Court and find that no substantial question of law had been claimed by the appellant. We have ourselves satisfied from the reading of the judgments of the courts below that a question of law much less a substantial question of law had arisen from the findings recorded by the court of fact.

Accordingly, Civil Appeal is dismissed with no order as to costs.

.J.

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(ASHOK BHAN)

New Delhi;  
.J.  
March 03, 2005.

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(A.K. MATHUR)