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C.A.No. 986 OF 1998
ITEM NO.114

COURT NO. 7

SECTION XIA

SUPREME COURT OF INDIA

RECORD OF PROCEEDINGS

Civil Appeal No.986 of 1998

Arulamma Mariyam & Anr.

Appellant (s)

Versus

Raghav a Panicker Sasidharan & Ors.

Respondent (s)

(With Office Report)

Dated:24-07-2003: This appeal was called on for hearing today.

CORAM

HON'BLE MR. JUSTICE Y.K. SABHARWAL
HON'BLE MR. JUSTICE B.N. AGRAWAL

For Appellant (s)Mr. P. Krishna Moorthy, Sr.Adv.
Ms. V. Mohana, Adv.

For Respondent (s)Mr. S. Balakrishnan, Sr.Adv.
Mr. S. Prasad, Adv.

UPON hearing counsel, the Court made the following

O R D E R

After hearing learned counsel for the parties for about 10 minutes, the Court allowed the appeal. There will be no order as to costs.

(S. Thapar) (V.P. Tyagi)
PS to Registrar Court Master

The signed order is placed on the file.

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.986 OF 1998

Arulamma Mariyam & Anr.

Appellant (s)

Versus

Raghava Panicker Sasidharan & Ors. Respondent (s)

O R D E R

The High Court by the impugned judgment has allowed Second appeal No.414 of 1987-G without formulating the substantial question of law which is a mandatory requirement of Section 100 Code of Civil Procedure. On this short ground alone, we set aside the impugned judgment and remand the aforesaid appeal for fresh decision of the High Court in accord with Section 100 of the Code of Civil Procedure. The appeal is allowed in the above terms. No costs.

.....J
(Y.K. Sabharwal)

.....J
(B.N. Agrawal)
New Delhi,
July 24, 2003