

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NOS.2951-2952 OF 2011

ST.ANTHONY CHURCHAPPELLANT

VERSUS

P.INDIRAMMARESPONDENT

O R D E R

Heard learned counsel appearing for the parties and perused the record.

No one can confer a better title than he himself has.

Indisputably, the appellant claims right, title and interest in respect of the property bequeathed to it by M. Joseph measuring 53361 sq. ft. of Survey No.19. The appellant's case is that although the area of 1 acre 9 guntas i.e. 53361 sq. ft., was bequeathed by M. Joseph but in fact the appellant-Church is in possession of 4500 sq. ft. of the land. If that be so, in a suit for mere injunction that was filed by the appellant, a decree for declaration of title and possession cannot be granted.

Besides the above, the High Court reappreciated the evidence adduced by both the parties and recorded a finding of fact.

Hence, we are not inclined to interfere with the finding of fact recorded by the High Court.

Accordingly, these appeals are dismissed.

.....J
[M. Y. EQBAL]

.....J
[R.K. AGRAWAL]

NEW DELHI;
MARCH 18, 2015.

ITEM NO.107

COURT NO.8

SECTION IVA

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

Civil Appeal No(s). 2951-2952/2011

ST.ANTHONY CHURCH

Appellant(s)

VERSUS

P.INDIRAMMA

Respondent(s)

(With office report)

Date : 18/03/2015 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.Y. EQBAL

HON'BLE MR. JUSTICE R.K. AGRAWAL

For Appellant(s) Mr. B. S. Banthia, Adv.

For Respondent(s) Mr. Balaji Srinivasan, Adv.

Mr. Vaishali Dixit, Adv.

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

These appeals are dismissed in terms of the signed order.

(Sanjay Kumar-II)
Court Master(Indu Pokhriyal)
Court Master

(Signed Order is placed on the file)