

ITEM NO.4

COURT NO.10

SECTION IV-A

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). 3008-3011/2008

PEERAMBI AND ORS. ETC.

Appellant(s)

VERSUS

SMT. SUSHEELA & ORS.

Respondent(s)

WITH

C.A. No. 3003-3006/2008 (IV-A)

Date : 10-11-2021 These appeals were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE K.M. JOSEPH
HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHAFor parties Mr. Gopal Sankarnarayanan, Sr. Adv.
Mr. Amit Kumar, Sr. Adv.
Mr. Shaurya Shaya, Adv.
Mr. Avijit Mani Tripathi, AORMr. Basavaprabhu S. Patil, Sr. Adv.
Mr. Geet Ahuja, Adv.
Mr. V. N. Raghupathy, AORUPON hearing the counsel the Court made the following
O R D E R

In these matters having regard to the nature of the relationship and the issues arising, the parties were referred for mediation. Though the report of the Mediator indicates that, the parties could not come to an agreement when the matter was taken up today in morning session. We heard learned senior counsel appearing on behalf of the parties.

Regarding the division of the property there is an agreement between the parties, the agreement may be indicated as follow:-

It is agreed between the parties that out of the total extent of property in survey 101/1 at Shanvad Village, Navalgund Taluka admeasuring 16 Acres 12 Guntas (Available extent shown as 13 Acres 18 Guntas), and land bearing Survey No.28/2 1+2 admeasuring 18 Acres 33 Guntas will go to the share of the respondents in Civil Appeal Nos.3008-3011/2008 (*Smt. Susheela & Ors.*). The further plank of agreement is land bearing Survey No.14 admeasuring 23 Acres 4 Guntas and 8 Acres 24 Guntas in Survey No.38/1 will be given to the appellants and the legal representatives in Civil Appeal Nos.3008-3011/2008.

Regarding the house property, no doubt, it remains a bone of contention. Both parties for reasons which appear to be sentimental wish to keep the property. Having regard to the broad agreement regarding the lions share of the property, we would think that the larger interest of justice while the respondents in appeals in Civil Appeal No.3008-3011/2008 should be permitted to keep the property, bearing in mind, the readiness of the respondents to have the property valued and to make available the value of the property to the appellants, there is again agreement that the parties will suggest a name of third party acceptable to both sides for this purpose for valuing the property.

The parties are expected to file document incorporating

agreement in the form of joint petition signifying their acceptance of the terms of the order which has been passed by us.

List the matters on 13.11.2021.

(JAGDISH KUMAR)
COURT MASTER (SH)

(RENU KAPOOR)
BRANCH OFFICER