

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

Petition(s) for Special Leave to Appeal (Civil) No(s).1 6 3 7 0 / 2 0 0 6

(From the judgement and order dated 14 / 0 7 / 2 0 0 6 in RSA No.2 5 7 3 / 2 0 0 6 of
The HIGH COUR T OF PUN J A B & HAR Y A N A AT CHAND I G A R H)

MAHI N D E R SING H AND ORS

Petitioner(s)

VER SUS

MAN J U & ORS

Respondent(s)

[With I.A.No. 1 - appln(s) for declaration of respondent no.1 as major,
with prayer for interim relief and office report]

Date: 17 / 1 0 / 2 0 0 8 This Petition was called on for hearing today.

CORAM :

HON' B L E MR. JUS T I C E S.H. KA P A D I A
HON' B L E MR. JUS T I C E B. SUD E R S H A N R E D D Y

For Petitioner(s) Mr. Gagan Gupta, Adv.
Mr. P a r m a n a n d Gaur, Adv.

For Respondent(s) Mr. Ranjit Shar m a , Adv.
Mr. Asim Bhatt, Adv.

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

No orders on I.A.No. 1.
Leave granted.
Civil appeal is allowed in terms of the signed order.

(Subhash Chander)
Court Master

(Madhu Saxena)
Court Master

[Signed order is placed on the file]
I N T H E S U P R E M E C O U R T O F I N D I A

C I V I L A P P E L L A T E J U R I S D I C T I O N

C I V I L A P P E A L N O . 6 1 5 3 O F 2 0 0 8
[Arising out of S.L. P .(C)No.1 6 3 7 0 of 20 0 6]

Mahinder Singh & Ors.

.....Appellants

Versus

Manju & Ors.

.....Respondents

O R D E R

Leave granted.

In this case, R.S.A.No. 2 5 7 3 of 2 0 0 6 filed by the appellants herein

came to be dismissed by the High Court in limine
us

under an erroneous

impression as if there was a concurrent finding by two courts below. This is

factually erroneous. The trial court had dismissed the suit filed by

respondent no.1. The said suit was, however, decreed by the lower appellate
court in first appeal.

For the aforestated reasons, the impugned order is set aside.

R.S.A.No. 2573 of 2006 stands restored to the file of the High Court for
consideration in accordance with law.

Civil appeal is allowed accordingly.

Sd/-

..... J.
[S.H. KAPADIA]

Sd/-

..... J.
[B. SUDERSHANREDDY]

New Delhi.

October 17, 2008.