

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL No.3291 2012

MALTI DEVI

... APPELLANT

Versus

RAMESHWAR PANDEY & ORS.

... RESPONDENTS

O R D E R

The instant appeal, by way of special leave, is directed against order dated 06.05.2009 passed by the learned Single Judge of the High Court of Judicature at Patna in Second Appeal No.355 of 2001 whereby the High Court allowed the second appeal filed by the respondents-defendants and rejected the claim and suit of the appellant-plaintiff.

Having heard learned counsel for the parties at length and perusing the material placed before us, we do not find any valid ground much less justification to interfere with the well-considered order passed by the High Court in exercise of our jurisdiction under Article 136 of the Constitution.

The appeal is accordingly dismissed.

However, we make it clear that dismissal of the appeal shall not come in the way of the appellant while enforcing any legal right in accordance with law.

.....J.  
(N.V.RAMANA)

.....J.  
(SANJIV KHANNA)

.....J.  
(KRISHNA MURARI)

NEW DELHI;  
FEBRUARY 25, 2020.

ITEM NO.110

COURT NO.2

SECTION XVI

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).3291/2012

MALTI DEVI

Appellant(s)

VERSUS

RAMESHWAR PANDEY & ORS.

Respondent(s)

Date : 25-02-2020 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE N.V. RAMANA  
HON'BLE MR. JUSTICE SANJIV KHANNA  
HON'BLE MR. JUSTICE KRISHNA MURARI

For Appellant(s) Mr. Subhro Sanyal, AOR

For Respondent(s) Ms. Mayuri Shukla, Adv.  
Mr. Adarsh Upadhyay, AOR

Mr. R. C. Kaushik, AOR(NP)

Mr. Samir Ali Khan, AOR(NP)

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

The appeal is dismissed in terms of the signed order.

However, we make it clear that dismissal of the appeal shall not come in the way of the appellant while enforcing any legal right in accordance with law.

(SATISH KUMAR YADAV)  
AR-CUM-PS

(RAJ RANI NEGI)  
ASSISTANT REGISTRAR

(Signed order is placed on the file)