

nl

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO(s). 7602 OF 2009
DIDAR SINGH (DEAD) & ORS.

APPELLANT(S)

VERSUS

GURBAZ SINGH @ BAJA SINGH & ORS.

RESPONDENT(S)

O R D E R

Delay in preferring the application for substitution in respect of respondent No. 8 is condoned. Abatement, if any, is set aside. The application to bring the legal representatives of the respondent No. 8 on record is allowed.

Heard learned counsel for the parties and perused the impugned order. The High Court in the impugned order after referring to all the questions raised by the plaintiff/respondents herein in the Second Appeal framed the substantial questions of law and after elaborate examination with reference to the findings of the trial court, the substantial questions of law are answered in favour of the respondents/plaintiff. we do not find any infirmity with the impugned order and the same is upheld. With regard to the limitation, the same is covered by the

2

judgment of this Court in the case of Singh Ram (D) through Lrs. vs. Sheo Ram & Ors. reported in (2014) 9 SCC 185 para 12.

In view of the above, we do not find any good reason to interfere with the impugned judgment and order passed by the High Court. Consequently, the appeal is liable to be dismissed and is hereby dismissed.

.....J.

(V. GOPALA GOWDA)

.....J.

(ADARSH KUMAR GOEL)

NEW DELHI,
JULY 13, 2016

3

ITEM NO.101

COURT NO.9

SECTION IV

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

RECORD OF PROCEEDINGS

Civil Appeal No(s). 7602/2009

DIDAR SINGH (DEAD) & ORS.

Appellant(s)

VERSUS

GURBAZ SINGH @ BAJA SINGH & ORS.

Respondent(s)

(With appln.(s) for bringing on record the Lrs. of the deceased respondent and interim relief and office report)

Date : 13/07/2016 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V. GOPALA GOWDA

HON'BLE MR. JUSTICE ADARSH KUMAR GOEL

For Appellant(s) Mr. Mahabir Singh, Sr. Adv.

Mr. Sunil Kumar Jain, Adv.

Mr. Kaushik Choudhury, Adv.

Mr. T.N. Durga Prasad, Adv.

For Respondent(s) Mr. Sushil Kumar Jain, Sr. Adv.

Mr. Ajay Veer Singh Jain, Adv.

Mr. R.K. Verma, Adv.

Mr. Atul Agrawal, Adv.

Mr. S.K. Goel, Adv.

Mr. Mohd. Irshad Hanif, Adv.

UPON hearing the counsel the Court made the following

O R D E R

Delay in preferring the application for substitution in respect of respondent No. 8 is condoned. Abatement, if any, is set aside. The application to bring the legal representatives of the respondent No. 8 on record is allowed. The appeal is dismissed in terms of the signed order.

(S. K. RAKHEJA)

COURT MASTER (SUMAN JAIN)

COURT MASTER

(Signed order is placed on the file)