

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.6153 OF 2009

LEELA DEVI

APPELLANT(S)

VERSUS

SALIG RAM

RESPONDENT(S)

O R D E R

This appeal is directed against the judgment dated 23.09.2008 delivered in Regular Second Appeal No.289 of 1998 whereby the learned Single Judge set aside the concurrent findings of both the Courts below and allowed the appeal.

The grievance of the appellant is that though in the judgment reference is made to seven substantial questions of law, none has been specifically answered and furthermore according to learned counsel for the appellant these questions, as framed, are not substantial questions of law.

We have gone through the seven substantial questions of law and are not repeating them for the sake of brevity.

We are of the considered view that these substantial questions, as framed, are not substantial questions of

law. We make it clear that we are not going into the merits of the case and we are not holding that substantial questions of law arise in the appeal or not. Furthermore, the High Court erred in not answering these so called substantial questions of law even as framed by it. Therefore, we have no option but to set aside the judgment and remand the matter to the High Court.

We request the High Court to dispose of the matter at the earliest since the original suit was filed in the year 1991. The High Court will take up the matter for final hearing and the High Court will determine whether any substantial question(s) of law arise in the appeal or not. It will be open for the parties to canvass that substantial question of law, arise or do not arise. If substantial questions of law arise, they shall be answered and the appeal disposed of in accordance with law.

The appeal is, accordingly, disposed of.

.....J.  
(DEEPAK GUPTA)

.....J.  
(ANIRUDDHA BOSE)

New Delhi  
August 07, 2019

ITEM NO.106

COURT NO.13

SECTION XIV-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).6153/2009

LEELA DEVI

Appellant(s)

VERSUS

SALIG RAM

Respondent(s)

Date : 07-08-2019 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DEEPAK GUPTA  
HON'BLE MR. JUSTICE ANIRUDDHA BOSE

For Appellant(s)

Mr. Sibor Sankar Mishra, AOR

For Respondent(s)

Mr. Anil Nag, Adv.  
Mr. Ankit Shukla, Adv.  
Mr. Abhilash Nag, Adv.  
Mr. Anmol Nag, Adv.

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

The appeal is disposed of in terms of the signed order.

Pending application(s), if any, stands disposed of.

(ARJUN BISHT)  
COURT MASTER (SH)

(RENU KAPOOR)  
BRANCH OFFICER

(signed order is placed on the file)