IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

Civil Appeal No.4382/2017

RIPON ESTATES LTD. Appellant(s)

VERSUS

THEKKEMARIVEETTIL MADHAVI AMMA (D)
THROUGH LRS. AND ORS. Respondent(s)

O R D E R

Learned counsel for the appellant is largely aggrieved by the fact that the High Court has opined vide the impugned judgment that the claim of the appellant for fixity of tenure under the Kerala Land Reforms Act, 1963 has been rejected and yet the matter has been remitted back to the trial Court with leave to amend the suit so as to bring correct description of the land in question.

We have heard learned counsel for the appellant on this and other aspects for about 1 hour and 20 minutes.

We are of the view that the land is as governed by the lease and the description of the land in the lease is what rules. The fact as there may be some discrepancy in the description of the land which resulted in remitting the matter back to the trial Court would not require the matter to be again sent back to the Land Tribunal for re-determination. We

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RASHI GUPTA
Date: 2022.02.15
10:52:11 IST
Reason:

are, thus, of the opinion that the impugned order cannot be faulted on any account.

The Civil Appeal is dismissed accordingly.

……J.
[SANJAY KISHAN KAUL]

……J.
[M.M. SUNDRESH]

NEW DELHI;
FEBRUARY 10, 2022.

ITEM NO.101 Court 6 (Video Conferencing) SECTION XI-A

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.4382/2017

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THROUGH LRS. AND ORS. Respondent(s)

WITH

SLP(C) No. 11650/2019 (XI-A)
(IA No.75680/2019-ADDITION / DELETION / MODIFICATION PARTIES)

Date : 10-02-2022 This appeal was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE M.M. SUNDRESH

For Appellant(s) Mr. Santosh Paul, Sr. Adv.
Mr. Sameer Parekh, Adv.
Mr. E. R. Kumar, Adv.
Ms. Sreeparna Basak, Adv.
Ms. Swati Bhardwaj, Adv.
Mr. Raghav Bansal, Adv.
Mr. Vedant Mishra, Adv.
M/S. Parekh & Co., AOR

For Respondent(s) Mr. Ranjith Thampan, Sr. Adv.
Mr. S. Sukumaran, Adv.
Mr. Anand Sukumar, Adv.
Mr. Bhupesh Pathak, Adv.
Mrs. Meera Mathur, AOR
Mr. Anand Sukumar, AOR

UPON hearing the counsel the Court made the following

O R D E R

The Civil appeal is dismissed in terms of the signed order.

Pending applications stand disposed of.

**The submission of the learned counsel for petitioner is that post the amendment, the extent of the property is sought to be expanded much beyond the land vested in the respondents now of which lease has been given to the petitioner's predecessor from whom the petitioner acquired the same.**

**Learned counsel for the respondents has clarified that the claim has been and will be made only on the land covered under the lease which is 326.92 acres. Even otherwise this being in the nature of interlocutory order, we would loathe to interfere with the same.**

**The special leave petition is accordingly dismissed.**

**Pending application(s) stand disposed of.**

**(RASHMI DHYANI)**
**COURT MASTER**

**(POONAM VAID)**
**COURT MASTER**

**(signed order in r/o C.A. No.4382/2017 is placed on the file)**