

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.9117 OF 2017
(Arising out of SLP(C) No.13625 of 2016)

GURENDER RANA & ANR.

APPELLANT(s)

VERSUS

ROSHNI DEVI & ORS.

RESPONDENT(s)

O R D E R

Leave granted.

We have heard learned counsel for the parties.

On perusal of the record, we find that very serious allegation has been made by the respondent - Roshni Devi to the effect that her husband, who is also her Special Power of Attorney, was beaten by their children and was made to sign a compromise deed on her behalf.

We find from the record that in spite of such a serious allegation having been made, no evidence was recorded by the trial court nor were the concerned parties brought to the witness box.

Under the circumstances, we are of the view that the proper course of action would be for the matter to be remanded back to the trial court for a decision on the merits of the application filed by Roshni Devi for setting aside the compromise deed after giving an opportunity to the parties to lead evidence.

The appeal stands disposed of.

Status quo to continue.

Pending application, if any, also stands disposed of.

.....J.
(MADAN B. LOKUR)

.....J.
(DEEPAK GUPTA)

NEW DELHI
JULY 14, 2017

ITEM NO.15

COURT NO.5

SECTION XIV

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.9117 OF 2017
(Arising out of SLP(C) No.13625 of 2016)

GURENDER RANA & ANR.

Petitioner(s)

VERSUS

ROSHNI DEVI & ORS.

Respondent(s)

Date : 14-07-2017 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE DEEPAK GUPTA

For Petitioner(s) Mr. Sachin Datta, Sr. Adv.
Mr. Lal Singh Thakur, Adv.
Mr. Sudhir Tewatiya, Adv.
Ms. Rijuta Mohanty, Adv.
Mr. Sudhir Naagar, AOR

For Respondent(s) Mr. Sumesh Dhawan, Adv.
Ms. Priya Puri, AOR
Mr. Swatantra Rai, Adv.
Vatsala Kak, Adv.
Mr. Ranjay Kr. Dubey, Adv.
Ms. Rekha Choudhary, Adv.

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

Leave granted.

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

Status quo to continue.

Pending application, if any, also stands disposed of.

(SANJAY KUMAR-I)
AR-CUM-PS

(SHARDA KAPOOR)
ASSISTANT REGISTRAR

(Signed order is placed on the file)