

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. _____ OF 2017
[ARISING OUT OF SLP (C) NO.26151 OF 2012]

LAGAMMAVVA (DEAD) THR. LRS. APPELLANT (S)

VERSUS

SHANKAR & ORS. RESPONDENT (S)

O R D E R

1. Leave granted.
2. Learned counsel appearing for the parties contend that the High Court has not considered the arguments with respect to adoption under Hindu Adoption and Maintenance Act (1956).
3. We have gone through the order passed by the High Court which is only with respect to partition case. The High Court has not considered the issue with respect to adoption and has passed the order in a short cryptic manner. Therefore, we remit the matter back to the High Court to hear the case afresh and pass a reasoned order on all issues, in accordance with law, after affording an opportunity of being heard to both the parties.
5. The Civil Appeal is, accordingly, allowed.

.....J.
[ARUN MISHRA]

.....J.
[AMITAVA ROY]

NEW DELHI;
JANUARY 16, 2017.

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

Petition(s) for Special Leave to Appeal (C) No(s).26151/2012

(Arising out of impugned final judgment and order dated 13/04/2011 in RSA No. 2653/2006 passed by the High Court of Karnataka Circuit Bench at Dharwad)

LAGAMMAVVA (DEAD) THR. LRS.

Petitioner(s)

VERSUS

SHANKAR & ORS.

Respondent(s)

(With interim relief and Office Report)

Date : 16/01/2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARUN MISHRA
HON'BLE MR. JUSTICE AMITAVA ROY

For Petitioner(s) Ms. Kiran Suri, Sr. Adv.
Mr. S.J. Amith, Adv.
Dr. (Mrs.) Vipin Gupta, Adv.

For Respondent(s) Mr. Girish Ananthamurthy, Adv.
Mrs. Vaijyanthi Girish, Adv.

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

Leave granted.

The Civil Appeal stands allowed in terms of the signed
order.

(B.Parvathi)
Court Master

(Tapan Kumar Chakraborty)
Court Master

(Signed order is placed on the file)