

ITEM NO.28

COURT NO.8

SECTION XI-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

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 32404/2019

(Arising out of impugned final judgment and order dated 22-02-2019 in RSA No. 1064/2007 passed by the High Court Of Kerala At Ernakulam)

RAGHUTHAMAN & ORS.

Petitioner(s)

VERSUS

SULOCHANA & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.142324/2019-CONDONATION OF DELAY IN FILING)

Date : 23-09-2019 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE MR. JUSTICE DINESH MAHESHWARI

For Petitioner(s) Mr. G. Prakash, AOR
Mr. Jishnu M.L., Adv.
Ms. Priyanka Prakash, Adv.
Ms. Beena Prakash, Adv.

For Respondent(s)

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

Heard counsel for the petitioners.

Delay condoned.

We decline to interfere with the impugned decision as we agree with the High Court that the prayer for grant of supplementary preliminary decree, in the fact situation of the present case, is untenable.

The fact that the petitioners are relying on a registered sale deed(s) executed prior to the passing of

the preliminary decree, would make no difference to the reason so recorded by the High Court. The petitioners are free to pursue such other remedy as may be permissible in law in reference to their rights flowing from the stated registered sale deed(s). Those proceedings may be decided on its own merits in accordance with law.

The special leave petition is disposed of in the above terms.

(NEETU KHAJURIA)
COURT MASTER

(VIDYA NEGI)
COURT MASTER