

ITEM NO.7 Court 4 (Video Conferencing) 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

Miscellaneous Application No(s). 1428/2020 in SLP (C) No. 7006/2016

(Arising out of impugned final judgment and order dated 20-01-2020 in SLP(C) No. No. 7006/2016 passed by the Supreme Court Of India)

SARI DEVI & ORS. Petitioner(s)

VERSUS

SINGH RAM & ORS. Respondent(s)

(FOR ADMISSION and IA No.32471/2020-RESTORATION

Date : 21-08-2020 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN
HON'BLE MR. JUSTICE NAVIN SINHA
HON'BLE MS. JUSTICE INDIRA BANERJEE

For Petitioner(s) Mr. Yash Pal Dhingra, AOR (N.P.)

For Respondent(s) Mr. Rajesh Srivastava, AOR
Mr. Anil Kumar Sangal, AOR

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

The connected matter has been dismissed by this Court on 20.01.2020 for non-prosecution. No application for restoration has been filed in the above said matter.

An application for restoration has been filed in the present matter. Despite the fact that the learned counsel does not appear even today and was un-contactable even after passover, we are restoring the matter to the file even without the necessity of hearing the counsel. Special Leave Petition is restored to the file. Miscellaneous Application is allowed.

Having gone through the impugned judgment, we find that there is a concurrent finding that the widow has alienated the land by gift deed prior to the advent of the 1956 Act. Even otherwise, the life estate that the widow could have alienated only for grounds such as necessity etc. has not been made out on the facts of this case.

This being the case, we find no reason to interfere under Article 136 of the Constitution of India.

The Special Leave Petition is dismissed.

(R. NATARAJAN)
ASTT. REGISTRAR-cum-PS

(NISHA TRIPATHI)
BRANCH OFFICER