

ITEM NO.40

COURT NO.2

SECTION XIIA

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). 7564/2017
(Arising out of impugned final judgment and order dated 15/12/2016
in CCA No.70/1998 passed by the High Court of Judicature at
Hyderabad for the State of Telangana and the State of Andhra
Pradesh)

T. JYOTHI AND ORS

Petitioner(s)

VERSUS

N.V. B. SHANKAR RAO(DIED) THROUGH HIS LRS AND ORS Respondent(s)

Date : 20/03/2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DIPAK MISRA
HON'BLE MR. JUSTICE A.M. KHANWILKAR

For Petitioner(s)

Mr. K.Parameshwar, Adv.
Mr. Kasi Nageswara Rao, Adv.

For Respondent(s)

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

Heard Mr.K. Parameshwar, learned counsel for the petitioners.

It is submitted by him that the High Court has erroneously allowed the appeal though it has observed that the identity of property in both the sale deeds are different. According to him even if the sale deed of the plaintiff remains as it is, the right, title and interest of the petitioners in respect of the property that is covered by the sale deed would not be affected. He has drawn our attention to para 12 of the impugned judgment passed by the High Court in this regard.

In view of the aforesaid we think it appropriate to grant liberty to the petitioners to file application for review indicating this fact before the High Court. If the application for review is filed within three weeks hence the same shall be dealt with in accordance with law. In case the petitioners do not get a favourable order in the application for review, liberty is granted to them to challenge the principal order as well as the order passed in the review.

With the aforesaid direction, the special leave petition stands disposed of.

(Ashok Raj Singh)
Court Master

(H.S.Parasher)
Court Master