

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

Diary No(s) . 8279/2017

(Arising out of impugned final judgment and order dated 18-11-2016 in SA No.448/1997 passed by the High Court of Judicature at Allahabad)

ALOK CHANDRA PAL (D) THR ITS LRS.

Petitioner(s)

VERSUS

CHANDAN SINGH (D) THR ITS LRS.

Respondent(s)

Date : 07-07-2017 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.Rishab Kaushik, Adv.

Mr.Harsh Pratap Shahi, Adv.

Mr.Shree Pal Singh, AOR

For Respondent(s)

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

Delay condoned.

It is submitted by learned counsel for the petitioner that though the respondent has not rebutted the presumption as provided under Section 90(1) of the Evidence Act yet the High Court has remanded the matter to the trial court for retrial of the suit.

Issue notice.

In the meantime, there shall be stay from operation of the impugned judgment dated 18.11.2016 passed by the High Court in SA No.448 of 1997.

(Ashok Raj Singh)
Court Master

(H.S.Parasher)
Court Master