

M/S Rajindra Kumar & Company and Another

Vs

Smt. Vijaya Rani

Civil Appeal No. 268 of 1981

(A.C. Gupta, D.A. Desai JJ)

22.01.1981

ORDER

1. Special leave granted.

2. We think that the High Court was not within its jurisdiction in setting aside a finding which was really an inference of fact from the evidence. We, therefore, allow the appeal, set aside the order of the High Court and restore that of the trial court. There will be no order as to costs.

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