

Kashi Nath

Vs

Rajendra Prakash and Others

Civil Appeal No. 3501 of 1982

(O. Chinnappa Reddy, V. B. Eradi JJ)

08.11.1982

ORDER

1. Special leave is granted.

2. The High Court held that the suit was bad for want of valid permission to sue Smt. Murti Devi. The appellant submits in this Court that he does not want any relief against Smt. Murti Devi and that he is prepared to give her up. In view of the statement of the appellant, the appeal is allowed and the case is remitted to the High Court for fresh consideration on merits in the light of the statement of the appellant giving up relief against respondent 4. We are not to be understood as having said anything on the merits of the case. The appeal is allowed accordingly. The appellant will pay costs of Rs 1000 to respondent 1.

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