

SUPREME COURT OF INDIA

Byathaiah (Kum)

Vs.

Pentaiah (Kum)

(S. B. Majmudar and U. C. Banerjee JJ.)

27.04.2000

ORDER

The Text below is only a summarized version of the order pronounced

The second appeal before the High Court was restored. It was observed that the matter decided earlier was between original Vendors (father and uncle of minor appellants) and original vendee. The suit filed by the appellants was not barred by Res judicata as in that suit they were not claiming through their father or uncle but were claiming independent rights over the suit properties.