

SUPREME COURT OF INDIA

Satyendra Kumar(Dead)Thr. Lrs.

Vs.

Mast Ram Uniyal(Dead)Thr. Lrs.

C.A.Nos.3560-3561 of 2009

(B.N. Agrawal, G.S. Singhvi and Dr. B.S. Chauhan JJ.)

14.05.2009

ORDER

1. Leave granted.
2. Heard learned counsel for the parties.
3. By the impugned order, the High Court, though framed substantial question of law involved in second appeals but without deciding the same, allowed the appeals and remitted the matter to the First Appellate Court. In our view, on this ground alone, the impugned order is fit to be set aside.
4. Accordingly, the appeals are allowed, impugned order rendered by the High Court is set aside and the matter is remanded to it to decide second appeals in accordance with law after giving opportunity of hearing to the parties.