

SUPREME COURT OF INDIA

P.Pramila Rani

Vs.

Narasamma & Ors.

C.A.No.1102-1103 of 2016

(Anil R.Dave and Adarsh Kumar Goel,JJ.,)

08.02.2016

JUDGMENT

Anil R.Dave, J.,

SLP(C)No.20521-20522 of 2011

1. Leave granted.
2. While hearing these appeals, by an order dated 21st September, 2015 we had directed that additional evidence be adduced before the trial court and in pursuance of the said order, learned 1st Additional Civil Judge (Senior Division), Bangalore Rural District, Bangalore, in Original Suit No.71/1999, had permitted the parties to lead further evidence so as to know whether the present appellant - P. Pramila Rani is daughter of Late Shri A. Punnuswamy Naidu.
3. We have received report of the learned Judge on 23rd January, 2016, along with the evidence adduced before the said Court, in a sealed cover. It was opened and upon perusal thereof we found that the appellant has adduced sufficient evidence to show that she is the daughter of Late Shri A. Punnuswamy Naidu.
4. In the circumstances, we set aside the impugned judgments of the High Court (i) dated 10th November, 2010 passed in Regular First Appeal No.266/2005; and (ii) dated 10th January, 2011 passed in Review Petition No.484/2010, and remit the matters to the High Court so that the High Court can decide them afresh after considering the evidence, which had been adduced before the trial Court, in pursuance of our order dated 21st September, 2015.
5. The parties shall appear before the High Court on 8th March, 2016 so that a date for further hearing can be decided. We are sure that the High Court shall do the needful at an early date.

6. The appeals are allowed with no order as to costs. Pending application, if any, stands disposed of.

7. The Registry shall send the report received from the learned 1st Additional Civil Judge (Senior Division), Bangalore Rural District, Bangalore, containing additional evidence adduced before the trial Court, in a sealed cover, to the High Court for its consideration.