

SUPREME COURT OF INDIA

Pampati Sathamma

Vs.

Pampat Gangaram

C.A.No.3549 of 2008

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

11.02.2016

JUDGMENT

Anil R.Dave,J.

1. Applications for substitution are allowed.
2. Heard the learned Counsel for the parties at length.
3. We have considered the contents of the impugned Judgment As well as the inter-se relationship among the parties and in the interest of justice, we think it just and proper if the respondent gives 1/3rd of the properties in question to all the appellants i.e. the sister of the respondent and legal heirs of the deceased sister. 1/3rd of the properties or value thereof shall be given by the respondent to the appellants within six months from today.
4. According to the respondent, at present value of the property is approximately Rs 60 lakhs. However, if the appellants do not agree to the said valuation, it would be open to them to raise the said contention in the appropriate proceeding before the Trial Court. The Trial Court would determine value of the property and pass appropriate order in the execution proceedings.
5. The impugned judgment of the High Court is set aside and the appeals are allowed to the above extent with no order as to costs.