

ITEM NO.18

COURT NO.2

SECTION XI-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 38863/2022

(Arising out of impugned final judgment and order dated 24-06-2019 in RSA No. 66/2010 26-07-2022 in RP No. 1064/2019 passed by the High Court Of Kerala At Ernakulam)

M.P.CHANDRIKA & ORS.ETC.

Petitioner(s)

VERSUS

P. VIJAYI & ORS.

Respondent(s)

(IA No.195818/2022-CONDONATION OF DELAY IN FILING)

Date : 04-01-2023 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE ABHAY S. OKA

For Petitioner(s) Mr. V Chitambaresh, Sr. Adv.
Mr. Ramesh Babu M. R., AOR
Mr. C Govind Venugopal, Adv.
Ms. Sonal Gupta, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

IA No.195818/2022-CONDONATION OF DELAY IN FILING

The delay is arising out of the pendency of the review petition and is accordingly condoned.

SPECIAL LEAVE PETITION (CIVIL) Diary No(s).
38863/2022

Learned senior counsel for the petitioners contends that concurrent findings of the original Court and the First Appellant Court have been set

aside in the Second Appeal without even framing a question of law predicated on an alternative remedy principle while the nature of property can only be examined in civil proceedings.

Issue notice.

In the meantime, there shall be stay of operation of the impugned order(s).

(ASHA SUNDRIYAL)
ASTT. REGISTRAR-cum-PS

(POONAM VAID)
COURT MASTER (NSH)