

Supreme Court of India

Sheela Devi vs Mohan Sarup And Ors. on 19 February, 1987

Equivalent citations: AIR 1987 SC 1072, JT 1987 (1) SC 486, 1987 (1) SCALE 422, (1987) 2 SCC 235, 1987 (1) UJ 436 SC

Author: V B Eradi

Bench: S Natarajan, V B Eradi

JUDGMENT V. Balakrishna Eradi, J.

After hearing Counsel appearing on behalf of the appellant we do not find any error of law in the view taken by the High Court that the plaintiffs are entitled to a declaration to the effect that the sale deed dated May 16, 1955 executed by the first defendant in favour of the second defendant in respect of 19 Bighas and 6 Biswas of agricultural land will not affect their reversionary right and that they shall be entitled to the possession of the land in suit on the death of defendant No.1 on payment of the sum of Rs. 6,706/- to which extent alone legal necessity had been proved. The said view is not in any way inconsistent with the dictum laid down by the Privy Council in Hunooman Persaud Panday v. Mussumat Babooee Munrooj Kaonweree 9 Moore's Indian Appeals 393 The appeal is therefore devoid of merits and it will accordingly stand dismissed. In the circumstances, we direct the parties to bear their respective costs.