

Supreme Court of India

Kashi Nath vs Rajendra Prakash And Ors. on 8 November, 1982

Equivalent citations: 1982 (2) SCALE 1378, (1982) 3 SCC 482, 1982 (14) UJ 830 SC

Bench: O C Reddy, V B Eradi

ORDER

1. Special Leave is granted.

2. The High Court held that the suit was bad for want of valid permission to sue Smt. Murti Devi. The appellant submits in this Court that he does not want any relief against Smt. Murti Devi and that he is prepared to give her up. In view of the statement of the appellant, the appeal is allowed and the case is remitted to the High Court for fresh consideration on merits in the light of the statement of the appellant giving up relief against respondent No. 4. We are not to be understood as having said anything on the merits of the case. The appeal is allowed accordingly. The appellant will pay costs of Rs. 1,000/- to respondent No. 1.