

IN THE HIGH COURT OF JUDICATURE AT PATNA
Second Appeal No.19 of 2015

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Smt. Rambha Devi & Anr

.... Appellant/s

Versus

Smt. Savitri Devi & Ors

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Manindra Kishore Singh

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE V. NATH

ORAL ORDER

13 26-07-2017

Heard learned counsel for the appellants.

This appeal will be heard.

Admit.

The following substantial questions of law arise for consideration in this appeal:

I. Whether the transfer by way of “Khoichha” to a lady at the time of her marriage can be accepted in law to be valid transfer of the said property vesting title in the transferee?

II. Whether when the trial court came to the conclusion that there was no conscious execution of the sale deed of the suit property by defendant no.2 in favour of defendant 3rd set, the appellate court below while reversing



the judgment and decree was required to consider the reasonings and the finding by the trial court before passing the judgment of reversal?

III. Whether when the transferor disputes the nature of the deed alleging misrepresentation with regard to the same, such deed would be void altogether?

Call for the lower court records.

Issue notice to the non-appearing respondents for which the appellants must file requisite both under registered cover with A/D as well as ordinary process within two weeks, failing which the memo of appeal as against them shall stand dismissed without further reference to a Bench.

Learned counsel for the respondent no.1 has accepted notice on behalf of the respondent no.1.

(V. Nath, J)

Nitesh/-

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