

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

CIVIL APPEAL NO. 3944 OF 2003

K. RAMAIAH (D) BY LRS.

.....

APPELLANTS

VERSUS

D.R. SRINIVAS & ORS.

.....

RESPONDENTS

O R D E R

We find from the impugned order of the High Court that the primary dispute between the appellant who is the decree holder and the objectors who claim to be purchasers of the attached property without notice is as to whether they had knowledge about the attachment and as to whether the attachment had been validly made by order of 15th of October, 1999. The High Court was of the opinion that these two and other connected matters would require the taking evidence etc. and has remanded the matter for decision to the Court below.

In the light of these findings, we are not inclined to interfere in this matter. The appeal is dismissed.

As the dispute is pending since long and the appellant is the decree holder who has a decree in his favour which has become final, we direct the Executing Court to take a decision on the objections within a period of six months from today.

NEW DELHI
MAY 04, 2010.

