

# RULING ON ROSLYN CLUB

## Lawyer Says Appeal Decision Wasn't Adverse to Levitt

Special to The New York Times.

ALBANY, Jan. 15—Benjamin Heller, attorney for Levitt & Sons, Inc., took issue today with an interpretation of a Court of Appeals decision as adverse to his client.

The court yesterday upheld an Appellate Court judgment delineating the rights of the defendant and those of the plaintiffs with respect to the use of the Roslyn Country Club.

The action was brought by homeowners in the town of North Hempstead who said they had purchased houses on the understanding that property adjoining the community would be available for their use as a country club.

The judgment upheld their interests in the club, but said the defendant was entitled to operate it at a profit, conduct a catering service from it and admit persons outside the community when a homeowner did not wish to join.

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