

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 6TH DAY OF MARCH, 2012

BEFORE

THE HON'BLE MR. JUSTICE SUBHASH B. ADI

* *Sc 44772*
WRIT PETITION NO. 32160/2011 (GM-CPC)

BETWEEN

SRI. N. M. GIRI
AGED ABOUT 39 YEARS
S/O SRI. N. S. MUNISWAMY RAO
R/O NO. 339, 16TH CROSS, 5TH MAIN
HIG COLONY, RMV II STAGE
BANGALORE-560 094

PETITIONER

(BY PASTAY LAW ASSTS., ADVS., (ABSENT))

AND

SMT. C. YASHODA
W/O SRI B. H. GOVINDAIAH
AGED ABOUT 40 YEARS
R/O NO. 515, 13TH CROSS ROAD
9TH MAIN ROAD
VYALIKAVALLI
MALLESWARAM
BANGALORE-560 003

RESPONDENT

* *2 THESE* *s ARE*
* THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO
QUASH THE ORDER DATED 6.7.2010 VIDE ANNEXURE-G
PASSED ON INTERIM APPLICATION 1 AND 2 IN O.S. NO. 332
OF 2009 BY 39TH ADDITIONAL CITY CIVIL JUDGE,
BANGALORE.

* *Sc*
Corrected v/o
dt. 20.3.12

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THESE
[THIS] PETITIONS COMING ON FOR PRELIMINARY
HEARING THIS DAY, THE COURT MADE THE FOLLOWING:

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Corrected v/o
dt. 20.7.12

ORDER

Though this matter was called twice, none appears
for the petitioner. The matter is considered on merit.

2. Petitioner is the defendant in O.S.No.332/2009.
He has challenged the order dated 06.07.2010 on
I.A.Nos.1 and 2.

3. Plaintiff had filed I.A.Nos.1 and 2 under Order
39 Rule 1 and 2 r/w Section 151 of CPC inter alia
seeking temporary injunction restraining the defendant
or anybody on his behalf from in any way demolishing
the compound, excavating or putting up any
construction on the suit schedule property during the
pendency of the suit. I.A.No.2 was filed for confirmation
of the ex-parte temporary injunction.

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