

**IN THE HIGH COURT OF KARNATAKA**  
**CIRCUIT BENCH AT DHARWAD**  
**DATED THIS THE 17<sup>TH</sup> DAY OF JULY, 2012**  
**BEFORE**  
**THE HON'BLE MR.JUSTICE AJIT J.GUNJAL**  
**WRIT PETITION No.14820/2012 (GM-CPC)**

BETWEEN:

SHRI BASAVARAJ  
S/O MAHADEVAPPA ANGADI, MAJOR,  
REPRESENTED BY HIS GPA HOLDER  
SHRI.BASAVARAJ S/O TAMMANNEPPA TANANGE,  
AGE:63 YEARS, RETIRED GOVERNMENT SERVANT,  
R/O VIVEKANAND NAGAR,  
IIIRD CROSS GOKAK. ... PETITIONER

(By Sri C R PATIL, ADV.)

AND

SMT VIJAYA W/O HANUMANTH PATIL,  
OCC:GOVERNMENT SERVANT,  
AGE: 40 YEARS, R/O IIND CROSS,  
VIVEKANAND NAGAR,  
GOKAK. ... RESPONDENT

THIS PETITION IS FILED UNDER ARTICLES 226 AND 227 OF  
THE CONSTITUTION OF INDIA PRAYING TO QUASH THE ORDER  
DATED 21.04.2012 PASSED IN O.S.NO.119/2011 VIDE ANNEX-T  
ON THE FILE OF THE COURT OF PRL. CIVIL JUDGE (JR.DN.)  
GOKAK.

THIS PETITION COMING ON FOR PRELIMINARY HEARING,  
THIS DAY, THE COURT MADE THE FOLLOWING:

ORDER

The petitioner is questioning the order passed by the learned trial Judge on an application seeking review of the order passed earlier on 13.03.2012.

2. A perusal of the papers discloses that there was an order of injunction operating as against the petitioner. The application for injunction as well as for vacating was heard by the learned trial Judge and the order of injunction was continued. The petitioner questions the said order by way of review. The learned trial Judge has rejected the said application on the ground that it was always open for the petitioner to question the same by way of an appeal under Order XLIII Rule 1 of the Code of Civil Procedure. I am of the view that the impugned order cannot be faulted. Reserving liberty to the

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petitioner to question the order dated 13.03.2012,  
petition stands disposed of.

Sd/-  
JUDGE

Jm/-