

ITEM NO.8

COURT NO.10

SECTION IV-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 5146/2022

(Arising out of impugned final judgment and order dated 18-08-2021 in WP No. 40488/2015 passed by the High Court Of Karnataka At Bengaluru)

V. VISHWANATH SINCE DECEASED BY LRS.

Petitioner(s)

VERSUS

B.N. SAROJAMMA & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.42801/2022-EXEMPTION FROM FILING O.T.)

Date : 29-04-2022 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.M. JOSEPH
HON'BLE MR. JUSTICE HRISHIKESH ROY

For Petitioner(s) Mr. Shekhar G Devasa, AOR
Mr. Manish Tiwari, Advocate
Mr. Shashi Bhushan Nagar, Advocate
Ms. Satvisa Pattanayak, Advocate
M/S. Devasa & Co., AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

The question relates to the maintainability of a Second Application under Order 9 Rule 9 of the Code of Civil Procedure. This is apart from the question of delay involved in filing the application.

On the last occasion, learned counsel for the petitioners was asked as to whether the petitioner is prepared for depositing a sum of Rupees One Lakh, upon this notice will be issued, to be made over to the respondents, apart from costs which may be ordered.

Learned counsel for the petitioners sought time and on instructions today he submits that the petitioner will deposit Rupees One Lakh. Demand draft for Rupees One Lakh has been taken.

Subject to the condition that the petitioner will deposit an amount of Rupees One lakh within one week, notice be issued.

Dasti in addition.

(INDU MARWAH)
COURT MASTER (SH)

(RENU KAPOOR)
BRANCH OFFICER