ITEM NO.15 COURT NO.16 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). 7251-7254/2023

(Arising out of impugned final judgment and order dated 02-01-2023 in MFA No. 5935/2021 02-01-2023 in MFA No. 5931/2021 02-01-2023 in MFA No. 5940/2021 02-01-2023 in MFA No. 5933/2021 passed by the High Court Of Karnataka At Bengaluru)

CHELUVARAJU & ORS. Petitioner(s)

VERSUS

SOMASHEKAR GOWDA & ORS. Respondent(s)

(FOR ADMISSION and IA No.71964/2023-EXEMPTION FROM FILING O.T.)

Date : 21-04-2023 These petitions were called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE ABHAY S. OKA
HON'BLE MR. JUSTICE RAJESH BINDAL

For Petitioner(s) Mr. S.N. BhaT, Sr. Adv.
Mr. Tarun Kr. Thakur, Adv.
Mr. D. Srinivasa Nayak, Adv.
Ms. Parvati Bhat, Adv.
Ms. Anuradha Mutatkar, AOR

For Respondent(s)

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

Heard the learned senior counsel appearing for the petitioners.

The petitioners are the original defendant nos. 4, 6 and 7 who applied for temporary injunction in a suit for protecting their possession against the plaintiffs.

The learned senior counsel appearing for the petitioners

pointed out that an ex-parte injunction was granted by the Trial Court in favour of the plaintiffs which has now been vacated.

A perusal of the application for injunction made by the present petitioners shows that they apprehended that they will be dispossessed on the basis of the order of temporary injunction granted in favour of the plaintiffs. Now the order of temporary injunction granted in favour of the plaintiffs has been vacated.

Apart from the aforesaid facts, the present petitioners could not have applied for temporary injunctions as defendants seeking a relief under Rule 1(c) of Order XXXIX of the Code of Civil Procedure, 1908.

We find that no case for interference is made out. The Special Leave Petitions are accordingly dismissed.

Pending applications, if any, also stand disposed of.

(INDU MARWAH)
COURT MASTER (SH)

(AVGV RAMU)
COURT MASTER(NSH)