

ITEM NO.13

COURT NO.2

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

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 23170/2023

(Arising out of impugned final judgment and order dated 24-01-2023 in WA No. 100/2023 passed by the High Court of Karnataka at Bengaluru)

**BENGALURU, BENGALURU RURAL AND RAMANAGARA
DISTRICT CENTRAL CO OPERATIVE BANK LTD.**

Petitioner(s)

VERSUS

**THE JOINT REGISTRAR OF CO-OPERATIVE
SOCIETIES & ORS.**

Respondent(s)

(FOR ADMISSION and I.R. and IA No.245084/2023-CONDONATION OF DELAY IN FILING and IA No.245086/2023-EXEMPTION FROM FILING O.T. and IA No.245088/2023-CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS)

Date : 05-01-2024 This petition was called on for hearing today.

CORAM :

**HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE DIPANKAR DATTA**

For Petitioner(s) **Mr. Sharanagouda Patil, Adv.
Mrs. Supreeta Patil, Adv.
Mr. Jyotish Pandey, Adv.
M/S. S-legal Associates, AOR**

For Respondent(s) **Mr. Rana Sandeep Bussa, Aor
Dr. Wolf Bussa, Adv.
Dr. Annie John, Adv.
Mr. Shirish K. Deshpande, AOR**

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

Delay condoned.

The reference to Section 14(1) of the Hindu Succession Act, 1956 in the impugned judgment is incorrect, and should not be read as a precedent. Secondly, on the question of onus as propounded in

the impugned judgment, we have reservations. However, otherwise, We are not inclined to interfere with the impugned judgment and leave it open to the petitioner - Bengaluru, Bengaluru Rural and Ramanagara District Central Co-Operative Bank Ltd. to take recourse to the remedy as is available in law to protect their interest.

Recording the aforesaid, the special leave petition is dismissed.

Pending application(s), if any, shall stand disposed of.

(BABITA PANDEY)
COURT MASTER (SH)

(R.S. NARAYANAN)
ASSISTANT REGISTRAR