

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGSPetition(s) for Special Leave to Appeal (Civil)...../2009
CC 20063/2009(From the judgement and order dated 01/12/2008 in MFA No.
1664/2006 of The HIGH COURT OF KARNATAKA AT BANGALORE)

MALLAPPA DUNDAPPA ZHALAKE(D) BY LRS.

Petitioner(s)

VERSUS

KARNATAKA URBAN WATER SUP.& DRAINAGE BD.

Respondent(s)

(With appln(s) for substitution,permission to file SLP,c/delay
in filing substitution appln. and office report)

Date: 15/12/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.V. RAVEENDRAN

HON'BLE MR. JUSTICE K.S. RADHAKRISHNAN

For Petitioner(s)

Mr. C.G. Solshe,Adv.

For Respondent(s)

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

Learned counsel for the petitioners state that they are the legal heirs and successors of the respondent in the first appeal before the High Court; and that though the said respondent before the High Court (Mallappa) had died during the pendency of the appeal, without the LRs being brought on record, the appeal has been allowed. In the circumstances permission to file SLP is granted. Delay is condoned.

The petitioner may pursue this SLP on LRs of deceased Mallappa.

It is also pointed out that the very same judgment had earlier been challenged by the acquiring authority and had been dismissed by the High court.

Issue notice.

(O.P. Sharma) (M.S. Negi)

Court Master Court Master