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25/11/99

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THE 30TH DAY OF MAY 1998

BEFORE

THE HON'BLE MR. JUSTICE K.H.N. KURANGA

CIVIL REVISION PETITION NO. 1077/1998

Sri.B.T.Rudrappa s/o Patel Thimmappa,
age: major, resident near Railway Station,
Shivani, Tarikere Taluk,

Chikmagalur District.

...PETITIONER

(By Sri.B.M. Siddappa, Adv. for petr.)

- vs -

The Branch Manager,

Karnataka Bank Ltd., Ajjampura Branch,

Ajjampura, Tarikere Taluk, Chikmagalur Dist.

...RESPONDENT

* * * * *

Civil Revision Petition is filed U/s 115
of CPC against the order dated 9.2.1998 passed in
Ex.No.184/1996 on the file of the Civil Judge,
Tarikere.

This Civil Revision Petition coming on for
ADMISSION this day, the court made the following: -

O R D E R

The petitioner is the Judgment Debtor in
Ex. Case No. 184/96 on the file of the learned Civil
Judge, Tarikere. He has in this petition challenged
the order dated 9.2.1998 passed by the Execution Court
on I.A.No.I filed by the petitioner. The petitioner
filed the said application I.A.No.I to stay the further
proceedings in the execution pending disposal of
MFA No. 594/97 pending on the file of this Court.

The case of the petitioner is that he has
challenged the Judgment and Award passed against him
in the aforesaid M.F.A. before this Court. Till
disposal of the MFA the execution cannot be
proceeded with. It is an admitted fact that this
Court has not granted any stay of the decree and
judgment of the award. In the circumstances, the
order passed by the court dismissing the application
I.A.No.I filed by the petitioner for stay of the
execution is justified and it is not a fit case
for admission and it is liable to be dismissed and
accordingly, it is dismissed. However, the

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petitioner is at liberty to move this Court in
M.F.A. for appropriate orders.

Sd/-
JUDGE

T.BY:BY

C.BY: *hy*

R.BY: *h*

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hr

Assistant Registrar
High Court of Karnataka
Bangalore-560 001

8/1/58



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