

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 17th DAY OF JUNE 2008

PRESENT

THE HON'BLE MR. JUSTICE V.G. SABHAHIT

AND

THE HON'BLE MR. JUSTICE S.N. SATYANARAYANA

WRIT APPEAL NO. 758/2006 (KLRA)

C/W

WRIT APPEAL NO. 341/2007 (KLRA)

IN WRIT APPEAL NO. 758/2006:

BETWEEN:

Sri. M. Krishnamurthy Acharya,
S/o M. Ranga Acharya,
Aged about 75 years,
R/o Juhu Church Road,
Mumbai – 54
(Benefit of Senior Citizen not claimed)

....APPELLANT

(By Sri./Smt: RAMESH UPADHYAYA & K. GOVINDA RAJ,
Advocates)

AND:

1. The Land Tribunal,
Udupi, by its Chairman,
Taluk Udupi,
Dakshina Kannada District.
2. Gangi Poojarthi,
D/o Jaru Poojarthi,

...2

Aged Major,
 Residing in Matapady Village,
 Udupi Taluk, P.O. Brahmavar,
 Dakshina Kannada District.

3. Mahabala Naika,
 S/o Nakamma Bai,
 Aged Major,
 Residing in Matapady Village,
 Udupi Taluk, P.O. Brahmavar,
 Dakshina Kannada District.
4. Gangu Bai,
 W/o Narasimha Naika,
 Aged Major,
 Residing in Matapady Village,
 Udupi Taluk, P.O. Brahmavar,
 Dakshina Kannada District.
5. The State of Karnataka,
 Rep. by its Revenue Secretary,
 Revenue Department,
 Vidhana Soudha,
 Bangalore – 560 001.

...RESPONDENTS

(By Sri/Smt: Govt. Advocate for R-1 and R-5)

This Writ Appeal is filed U/S 4 of the Karnataka High Court Act praying to set aside the order passed in the Writ Petition No.45092/2001 dated 08-3-2006.

IN WRIT APPEAL NO. 341/2007:

BETWEEN:

Sri. M. Krishnamurthy Acharya,
 S/o M. Ranga Acharya,
 Aged about 76 years,

R/o Juhu Church Road,
Mumbai – 54
(Benefit of Senior Citizen not claimed)

....APPELLANT

(By Sri./Smt: K. GOVINDA RAJ & RAMESH UPADHYAYA,
Advocates)

AND:

1. The Land Tribunal,
Udupi, By its Chairman,
Taluk Udupi,
Dakshina Kannada District.
2. Gangi Poojarthi,
D/o Jaru Poojarthi,
Aged Major,
Residing in Matapady Village,
Udupi Taluk, P.O. Brahmavar,
Dakshina Kannada District.
3. Mahabala Naika,
S/o Nakamma Bai,
Aged Major,
Residing in Matapady Village,
Udupi Taluk, P.O. Brahmavar,
Dakshina Kannada District.
4. Gangu Bai,
W/o Narasimha Naika,
Aged Major,
Residing in Matapady Village,
Udupi Taluk, P.O. Brahmavar,
Dakshina Kannada District.
5. The State of Karnataka,
Rep. by its Revenue Secretary,
Revenue Department,

Vidhana Soudha,
Bangalore – 560 001.

...RESPONDENTS

(By Sri/Smt: Govt. Advocate for R-1 and R-5)

This Writ Appeal is filed U/S 4 of the Karnataka High Court Act praying to set aside the order passed in the Writ Petition No.45092/2001 dated 04-04-2006.

These Writ Appeals coming on for orders this day the court made the following order.

O R D E R

The writ appeal is filed without impleading the legal representatives of Respondents 3 and 4, though the application filed to bring the LRs of Respondents 3 and 4, was rejected by the learned single Judge. Therefore, prima facie, appeal itself is not maintainable.

However, the learned counsel for the appellant prays for time to file necessary application.

Call after three weeks finally, to take necessary steps, failing which, the appeals shall stand dismissed for non-prosecution without any further order from the Court.

Sd/
JUDGE

Sd/
JUDGE

T By: AMB

C By: N

R By:AMB

COPY
Sd/-
ASSISTANT REGISTRAR