

**IN THE HIGH COURT OF KARNATAKA
CIRCUIT BENCH, DHARWAD**

Dated this the 10th day of December 2009

Before

THE HON'BLE MR.JUSTICE H.BILLAPPA

WRIT PETITION No.62687 OF 2009(GM-CPC)

BETWEEN

ANANT KALAPPA JARTAKHANI
AGE :79 YEARS,
OCC: PENSIONER R/A TORAVI GALLI,
HUBLI.

... PETITIONER

(By Sri./Smt : G. R. ANDANIMATH, ADV.)

AND

1. KRISHTAPPA ADOPTED S/O MAHADEVAPPA GADAD SINCE DECEASED BY LRS
- 1(a) SUSHILABAI W/O KRISHTAPPA GADAD AGED ABOUT 70 YEARS, OCC : HOUSEHOLD WORK, R/A GULAM HUSEIN GALLI AND KAMANAKHAN BAZAR, BIJAPUR.

- 1(b) SRIDHAR KRISHTAPPA GADAD
AGED : 54 YEARS,
OCC : BUSINESS R/A GULAM HUSEIN
GALLI AND KAMANAKHAN BAZAR, BIJAPUR.
- 1(c) VEERAKUMAR KRISHTAPPA GADAD
AGE ABOUT 48 YEARS,
OCC SERVICE, R/A GULAM HUSEIN GALLI
AND KAMANAKHAN BAZAR, BIJAPUR.
- 1(d) RAVIKUMAR KRISHTAPPA GADAD
AGE ABOUT 50 YEARS,
OCC : BUSINESS, R/A GULAM HUSEIN
GALLI AND KAMANAKHAN BAZAR, BIJAPUR.
- 1(e) PUSHPA GANESH KUMAR
AGE ABOUT 46 YEARS,
OCC : HOUSEHOLD, R/A GULAM HUSEIN
GALLI AND KAMANAKHAN BAZAR, BIJAPUR.

... RESPONDENTS

This Writ Petition filed under Article 226 & 227 of the Constitution of India, praying to direction quashing the order dated 30/8/2006 dismissing Miscellaneous Application No.45 of 2004 passed by the Prl.Civil Judge (Sr.Dn), Hubli (Annexure-E); and direct the Prl.Civil Judge (Sr.Dn), Hubli to restore Miscellaneous Application No.45 of 2006 on his file and dispose of the case in Accordance with law by recording evidence, if tendered by the parties and by appointing a commissioner.

This petition coming on for orders this day, the Court delivered the following;

O R D E R

On 06-10-2009, a week's time has been granted as a last chance to comply with the office objections. Thereafter, on 19.11.2009 a week's time has been granted to comply with the office objections. Inspite of that, office objections have not been complied with. However, in the interest of Justice, a week's time is granted to comply with the office objections. If the objections are not complied within one week from today, the writ petition stands dismissed automatically without further reference to the court.

**SD/-
JUDGE.**

READ : The endorsement dated 2/1/2010 made by the Pending Branch to the effect that the office objection has not been complied with.

As per the Order dated 10/12/2009, the Advocate for the Petitioner has not complied with the office objections. Hence, this WP No.62687/09 stands dismissed as on 2/1/2010 without reference to the Court, as per the Court Order dated 10/12/2009.

BY ORDER

Seal

**Sd/-
ASSISTANT REGISTRAR.**

R- By:-

C- By:-