

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

Dated this the 27th day of November 2009

Before

THE HON'BLE MR.JUSTICE H.BILLAPPA

WRIT PETITION No.62994 OF 2009

BETWEEN

1. MOHAMMAD HUSSAIN SAB
S/O CHAMANSAB HALYAL,
AGE :62 YEARS, OCC : BUSINESS
R/O HIREKERUR
TALUK AND DIST:HAVERI
2. SHAFIAAHAMED
S/O CHAMANSABA HALAYAL
AGE :58 YEARS, OCC:BUSINESS
R/O HIREKERUR
TALUK AND DIST:HAVERI

... PETITIONER(S)

(By Sri./Smt : M S HARAVI, ADV.,)

AND

1. ABDULSHYA HAJARASHYA MAKANDAR
SINCE DECEASED BY HIS LRS
- 1A) SMT. SHAHAJANABI KOM
ABDULSHYA MAKANDAR, AGED ABOUT 68 YEARS
OCC:HOUSEHOLD, WORK
R/O HIREKERUR,TQHIREKERUR
- 1B) SMT. KOUSAR BEGAM
W/O ABDULLALATIFKHAN PATAN,
AGE : 44 YEARS
OCC:HOUSEHOLD, R/O BYADAGI
- 1C) INAYATULLASHYA ABDULSHYA
MAKANDAR, AGE : 47 YEARS
OCC:AGRICULTURE
R/O HIREKERUR, TQ: HIREKERUR
- 1D) AMANULLASHYA ABDULSHYA
MAKANDAR, OCC:SERVICE
R/O HIREKERUR, TQ: HIREKERUR.
- 1E) SMT.SAIRABANU KOM
ISMAILSHYA MAKANDAR
MAKANDAR, AGE : 39 YEARS,
OCC:HOUSE HOLD
2. AJEEMSHAYA HARJARASTSHYA MAKANDAR
AGE MAJOR, OCC. BUSINESS
HIREKERUR
3. RAHIMASHYA MODINSHYA MAKANDAR
DECEASED BY HIS LRS.

- 3(A) SMT. JAITUNABI KOMRAHIMANSHA
MAKANDAR, AGE : 70 YEARS, OCC : HOUSEHOLD
R/O. HIREKERUR
- 3B) SMT.JEENAT KOM RAHIMASHYA BYADAGI
AGE 50 YEARS OCC : HOUSE HOLD
R/O : HANUSBHAVI, TQ : HIREKERUR,
- 3© CHAMANSHYA RAHIMASHYA
MAKANDAR, AGE : 48 YEARS,
OCC:BUSINESS,R/O HIRKERUR
- 3(d) MAKABULSHYA RAHIMANSHYA
MAKANDAR
AGE : 48 YEARS, OCC:TEACHER,
R/O HIRKERUR
- 3(E) NAJEEBHUSAB RAHIMANSHYA
MAKANDAR, AGE : 40 YEARS,
OCC:HOUSE HOLD, R/O HIRKERUR
- 3(G) IBRAHIMSHYA RAHIMANSHYA
MAKANDAR, AGE : 35 YEARS,
OCC:TEACHER, R/O HIRKERUR
- 3(H) KUMAR FARDANA
S/O RAHIMANSHYA MAKANDAR
AGE : 33 YEARS,OCC:HOUSE HOLD,
R/O HIRKERUR
- 3(I) JAHIRSHYA RAHIMANSHYA
MAKANDAR, AGE : 30 YEARS,
OCC:STUDENT, R/O HIRKERUR
4. HIDAYATHULLASHYA AHAMMADALISHYA
MAKANDAR, AGE : MAJOR,
OCC : BUSINESS, R/O : HIRKERUR.

5. ALLABAX SHOUKARALISHYA MAKANDAR
SINCE DECEASED BY LRS
- 5(a) SMT. SARA KHATUNABI,
W/O ALLABHAX MANKANDAR
AGE: 80 YEARS, OCC:HOUSEHOLD,
R/O HOUNSBHAVI
TQ:HIREKERUR
- 5(B) SMT.NOORJAHAN, W/O. AMEER MULLA
AGE : 60 YEARS, OCC:HOUSEHOLD
R/O SHIRALAKOPPA, TQ:SHIKARIPUR
- 5© SMT SOGARABANU
W/O DADAPEER SAVANUR
AGE: 57 YEARS, OCC:HOUSEHOLD
R/o HANUNSBHAVI, TQ:HIREKERUR
- 5(D) SHRI. NOORALISHYA ALLABAX MAKANDAR,
AGE : 53 YEARS, OCC:CONDUCTOR
KSRTC,HUBLI
- 5(E) SIDDAKALLISHYA ALLABAX MAKANDAR,
AGE : 50 YEARS, OCC:CONDUCTOR
KSRTC, SIRSI
- 5(F) SMT.SIRIJAN,
W/O. MOHAMMARD AUB MULLA,
AGE : 48 YEARS OCC:HOUSE HOLD
R/O BYADAGI
- 5(G) SMT.FARAHALI JAN
W/O HAJARATALI PYATI
AGE : 46 YEARS, OCC:HOUSEHOLD
R/O HUBLI

5(H) SHRI HABIBULLA ALLABAX MAKANDAR
AGE : 40 YEARS, OCC:AGRICULTURE
R/O HUBLI

5(I) SMT.SAHMEEMBANU
W/O. ABDUL MUNAF BIJAPUR
AGE : 35 YEARS, OCC:HOUSE HOLD,
R/O HUBLI

5(J) SMT.MEHARUNNISA
W/O SAGEERMULLA
AGE : 38 YEARS, , OCC:HOUSEHOLD
R/O HUBLI

6. NOORAHAMMED ABDULSHYA
MAKANDAR, AGE : 51 YEARS,
OCC:DRIVER, R/O HIREKERUR

7. HIDAYATULLA ABDUL SHAYA
MAKANDAR, AGE : 48 YEARS,
OCC:DRIVER, R/O HIREKERUR

8. MAKABULSHYA ABDULLASHYA
MAKANDAR, AGE : 55 YEARS,
OCC:BUSINESS R/O HIREKERUR

... RESPONDENTS

This Writ Petition filed under Article 226 & 227 of the Constitution of India, praying to quash the proceedings in E.P.No.2/2009 pending on the file of Civil Judge (Jr.Dn), Hirekerur as per Anenxure-A.

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 was granted as a last chance 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 granted to comply with the office objections. If office objections are not complied with within one week from today, the writ petition stands dismissed automatically without further orders from the court.

**SD/-
JUDGE.**

Since the Advocate for the petitioner has not complied with the office objections, the fWP No.62994/2009 has stood dismissed as per the Court Order Dtd:27/11/2009.

The word "Seal" is centered within an oval outline.

BY ORDER

Sd/-

ASSISTANT REGISTRAR.

R- By:-

C- By:-