

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

Dated this the 27<sup>th</sup> 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. JAITU NABI KOMRAHIMANSHA  
MAKANDAR, AGE : 70 YEARS, OCC : HOUSEHOLD  
R/O. HIREKERUR
- 3(B) SMT.JEENAT KOM RAHIMASHYA BYADAGI  
AGE 50 YEARS OCC : HOUSE HOLD  
R/O : HANUSBHAVI, TQ : HIREKERUR,
- 3(C) 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) NAJEEBHNUSAB 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. SARAKHATUNABI,  
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

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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.

Seal

**BY ORDER**

Sd/-

**ASSISTANT REGISTRAR.**

R- By:-

C- By:-