

**IN THE HIGH COURT OF KARNATAKA AT BANGALORE**

**DATED THIS THE 30<sup>TH</sup> DAY OF JUNE 2009**

**BEFORE**

**THE HON' BLE MR. JUSTICE H.G.RAMESH**

MISCELLANEOUS FIRST APPEAL NO.5376 OF 2008  
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**BETWEEN:**  
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1. MRS. IRIES LUCIANI  
AGED ABOUT 50 YEARS,  
D/O. AVILO LUCIANI
2. ANTONIO LUCIANI  
AGED ABOUT 42 YEARS,  
S/O. AVILO LUCIANI.

BOTH RESIDING AT  
NO.3, CAMPBELL ROAD  
VIVEKNAGAR, AUSTIN TOWN,  
BANGALORE -560 047.

3. MARIO LUCIANI  
AGED ABOUT 46 YEARS. -

COPY

  
Assistant Registrar  
High Court of Karnataka  
Bangalore - 560 001

S/O. AVILO LUCIANI  
R/AT NO.3, CAMPBELL ROAD,  
VIVEKNAGAR, AUSTIN TOWN,  
BANGALORE -560 047.

4. DINESH KAMATH  
AGED ABOUT 38 YEARS,  
R/AT NO.44/1, BHARATH APARTMENT  
A & b FAIR FIELD LAYOUT,  
RACE COURSE ROAD,  
BANGALORE - 560 001.

... APPELLANTS

(BY SRI. H.N SHASHIDHARA, KESVY & CO, ADVOCATES)

**AND:**

AMALRAJ  
AGED 48 YEARS,  
S/O. S.S. ANTHONY  
R/AT NO.225, 9<sup>TH</sup> BLOCK,  
PWD QUARTERS  
WILSON GARDEN, BANGALORE - 560 027.

....RESPONDENT

COPY

9  
Assistant Registrar  
M.H. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 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This Miscellaneous First Appeal filed U/O 43 RULE 1(r) of CPC Against the Order dated: 13.12.2007 passed on I.A. Nos. 1 and 3 in OS No.7451/2007 on the file of the XXXIX Addl. City Civil and Sessions Judge, Bangalore (CCH No.40), Allowing I.A.No.1 filed U/O. 39 Rules 1 and 2 of CPC for T.I and dismissing the IA.3 filed U/o. 39 Rule 4 of CPC for vacating the Interim Order of Exparte order of injunction dt: 20.9.2007.

This Miscellaneous First Appeal is coming on for orders on this day, the Court made the following:

**ORDER**

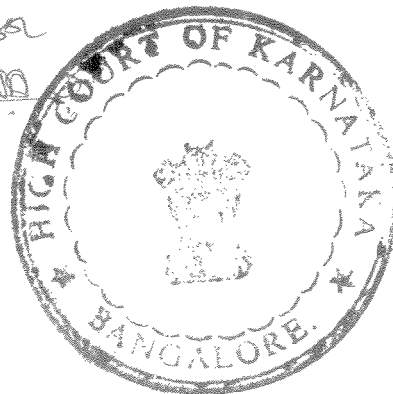
None appears.

The appellants to pay fresh process fee to issue notice to the respondent in a week's time failing which the appeal stands dismissed.

T By: KP

R By: *25*

C By: *10*



Sd/-  
JUDGE

COPY

*P. 25*

Assistant Registrar  
High Court of Karnataka  
Bangalore - 560 001

*25/4/13*