

IN THE HIGH COURT OF KARNATAKA

CIRCUIT BENCH AT GULBARGA

DATED THIS THE 31ST DAY OF JULY 2012

BEFORE

THE HON'BLE MR. JUSTICE H.N.NAGAMOHAN DAS

WRIT PETITION NO.83948/2010 (GM-CPC)

BETWEEN

KALAMMA W/O IRANNA BADIGER
AGE: 48 YEARS, OCC: HHWORK
R/O KOBATANOOR, TQ. SINDHAGI
NOW AT MINIJAGI, TQ. MUDDEBIHAL
DIST. BIJAPUR

... PETITIONER

(BY SMT. SHAILAJA, ADV. FOR
M/S. SHIVAYOGIMATH ASSOCATES)

AND

1. SHANTAMMA W/O MEGHARAJ BADIGER
AGE: 33 YEARS, OCC: HHWORK
2. GANGAMMA W/O SHIDDANNA BADIGER
AGE: 43 YEARS, OCC: HHWORK
3. JIVAMMA W/O RUDRAPPA BADIGER
AGE: 33 YEARS, OCC: HHWORK

ALL ARE R/O MINIJAGI
TQ. MUDDEBIHAL DIST. BIJAPUR

4. DEVAMMA W/O PRAKASH BADIGER
R/O KOBATANOOR, TQ. SINDHAGI

NOW AT MINIJAGI, TQ. MUDDEBIHAL
DIST. BIJAPUR

... RESPONDENTS

(BY SRI. K. D. BHANTNUR, ADV. FOR R2-R4,
NOTICE TO R1 HELD SUFFICIENT)

THIS WRIT PETITION FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE A WRIT OF CERTIORARI, QUASHING THE COMPROMISE DECREE DATED 25.01.2010 IN O.S. NO. 201/2009 ON THE FILE OF THE CIVIL JUDGE (JR.DN.) AT MUDDEBIHAL VIDE ANNEXURE-D ETC.

THIS WRIT PETITION COMING ON FOR ORDERS THIS DAY, THE COURT MADE THE FOLLOWING:-

ORDER

In this writ petition, the petitioner has prayed for a writ in the nature of certiorari to quash the compromise decree dated 25.01.2010 in O.S.No.201/2009 passed by the Civil Judge (Jr.Dn.) Muddebihal.

2. Petitioner contends that on misrepresentation his signature was obtained on the compromise petition before the Trial Court. If that is so, it is open for the petitioner to initiate appropriate proceedings for cancellation of this compromise decree in accordance with law.

3. Without going into the merits of the contention and the grounds urged by the petitioner, this writ petition is hereby disposed of reserving liberty to the petitioner to workout his remedy in accordance with law.

4. The petitioner had benefit of the interim order in this writ petition and the same is continued for a period six weeks.

**Sd/-
JUDGE**

Srt