

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 31ST DAY OF JANUARY, 2018

BEFORE

THE HON'BLE MR. JUSTICE B. VEERAPPA

CIVIL REVISION PETITION No.439 OF 2017

BETWEEN:

Dr. Suresh Kudva,
S/o. Mr. V.R.Kudva,
Aged about 61 years,
R/at Ananthashayana Road,
Karkala Kasaba Village,
Karkala – 574 104,
Udupi District.

...Petitioner

(By Sri. K. Shashikanth Prasad, Advocate)

AND:

Shree Venkataramana Devara Bhandram,
Karkala,
Represented by its Managing Trustee
Sri. Y. Narasimha Shenoy,
S/o. late Y.Radhakrishna Shenoy,
Aged about 48 years,
Opp: Amara Jyothi Clinic,
Sadananda Kamath Road,
Karkala – 574 104,
Udupi District.

... Respondent

(By Sri. Prasanna V.R., Advocate)

This CRP is filed under Section 115 of Code of Civil Procedure against the Order dated 10.07.2017 passed in Ex.No.1/2016 on the file of the II Addl. Civil Judge & JMFC, Karkala, issuing delivery warrant against the judgment debtor/petitioner herein.

This CRP coming on for *Orders* this day, the Court made the following:

ORDER

The petitioner/judgment debtor has filed the Civil Revision Petition against the order dated 10.07.2017 made in Ex.No.1/2016 over-ruling the petition filed by the judgment debtor and issuing delivery warrant against judgment debtor if PF paid returnable by 26.07.2017.

2. Sri. Prasanna V.R., learned counsel for the respondent submits that in pursuance of the impugned order passed, the very petitioner has delivered vacant possession of the premises to the respondent on 16.08.2017. Therefore, the present Civil Revision Petition becomes infructuous and Execution Petition is closed on 19.08.2017.

3. The said submission is placed on record.

4. The same is not opposed by Sri.K.Shashikanth Prasad, learned counsel for the petitioner.

In view of the same, the Civil Revision Petition is dismissed as having become infructuous.

**Sd/-
JUDGE**

SV/-