

IN THE HIGH COURT OF KARNATAKA
DHARWAD BENCH

DATED THIS THE 31ST DAY OF JANUARY 2022

BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

C.R.P.NO.100073/2018

BETWEEN

SHRI PARAPPA S/O MALLAPPA HUKKERI
SINCE DECEASED REPRESENTED BY HIS LRS.

1(A) SMT.MAHANANDA W/O RACHAPPA UDDAR,
AGE : 30 YEARS, OCC: AGRICULTURE,
R/O: MUTTUR, TQ: JAMAKHANDI,
DIST: BAGALKOT, PIN: 587301.

...PETITIONER

(BY SRI MADANMOHAN M KHANNUR, ADVOCATE)

AND

1. SHRI BASAPPA S/O MUTTEPPA GANIGER
AGE: 44 YEARS, OCC: AGRICULTURE,
R/O: HUNASHYAL P.Y, GOKAK,
DIST: BELAGAVI.

2. SMT. GANGAWWA W/O LAKKAPPA GATIGEPPAGOL
SINCE DECEASED REPRESENTED B HER LRS.,

2(A) SHRI DUNDAPPA
S/O LAKKAPPA GATIGEPPAGAOL,
AGE : 60 YEARS, OCC: AGRICULTURE,
R/O SUNADHOLI, TQ: GOKAK-591 307.
DIST: BELAGAVI.

2(B) SHRI BHIMAPPA S/O LAKKAPPA GATIGEPPAGAOL,
AGE : 55 YEARS, OCC: AGRICULTURE,
R/O SUNADHOLI, TQ: GOKAK-591 307.
DIST: BELAGAVI.

2(C) SMT.MUTTAWWA W/O SHIVAPPA GOKAK,
AGE : 50 YEARS, OCC: AGRICULTURE,

R/O SUNADHOLI, TQ: GOKAK-591 307.
DIST: BELAGAVI.

3. SMT. SAVAKKA W/O GANGAPPA
@ GULAPPA CHINAGUNDI,
AGE: 72 YEARS, OCC: AGRICULTURE & HOUSEHOLD,
R/O: HANDIGUND, TQ: RAIBAG, DIST: BELAGAVI.
(DECEASED)
4. SHRI VENKAPPA S/O MALLAPPA HUKKERI
AGE: 56 YEARS, OCC: AGRICULTURE,
R/O: CHIMMAD, TQ: JAMKHANDI-587301,
DIST: BAGALKOT.
5. SHRI BASAPPA S/O MALLAPPA HUKKERI
AGE: 40 YEARS, OCC: AGRICULTURE,
R/O: CHIMMAD, TQ: JAMKHANDI-587301,
DIST: BAGALKOT.

SATTEWWA W/O SIDDAPPA GOUDAR
SINCE DECEASED BY HER LRS.

6. SHRI MAHALING SIDDAPPA GOUDAR @ GANIGER,
AGE: 52 YEARS, OCC: AGRICULTURE,
R/O: JAGADAL, TQ: JAMKHANDI-587301,
DIST: BAGALKOT.
7. RAMAPPA SIDDAPPA GOUDAR @ GANIGER,
AGE: 47 YEARS, OCC: AGRICULTURE,
R/O: JAGADAL, TQ: JAMKHANDI-587301,
DIST: BAGALKOT.

... RESPONDENTS

(BY SRI G.B.NAIK & SRI P.G.NAIK, ADV. FOR R.1 & R.4 TO 7)
(NOTICE TO R.2(A) TO 2(C) : SERVED.)
(RESPONDENT NO.3-DECEASED)

THIS PETITION IS FILED UNDER SECTION 115 OF THE CODE OF CIVIL PROCEDURE, 1908, PRAYING THIS COURT TO SET ASIDE THE JUDGMENT AND DECREE DATED 14.07.2016 IN E.P.NO.13/2016 PASSED BY THE COURT OF PRINCIPAL SENIOR CIVIL JUDGE GOKA, ACCEPTING THE COMPROMISE PETITION FILED UNDER ORDER 23 RULE (3) READ WITH SECTION 151 OF CPC AND REJECT THE COMPROMISE PETITION DATED 27.04.2016 IN THE INTEREST OF JUSTICE AND EQUITY.

THIS PETITION COMING ON FOR ADMISSION THIS DAY,
THE COURT DELIVERED THE FOLLOWING:

: JUDGMENT :

The captioned civil revision petition is filed assailing the compromise recorded by the Executing Court.

2. Learned counsel appearing for the petitioner fairly submitted that, he has efficacious remedy before the Court which has recorded the compromise. Therefore, he seeks liberty to withdraw present civil revision petition.

3. His submission is placed on record.

4. The civil revision petition is dismissed as withdrawn reserving liberty to the petitioner to approach the Court which has recorded the compromise.

5. In the event, the petition is filed within two weeks, the petitioner shall be extended the benefit of Section 14 of the Limitation Act.

Sd/-
JUDGE

EM