

Crime 80/2023

Case called out. Complainant absent. Heard, APP

perused records.

The Arakere PS have filed C report before the Court. Thereafter this Court issued notice to complainant and the same has been returned unserved several times.

In spite of pending of the case the complainant has not appeared before the court.

More over the I.O has filed final C report.

The complainant has not appeared before the Court and the complainant has not chosen to contest the case.

Hence the C report filed by complainant police is hereby accepted for the time being.

Accordingly this case is disposed of.

21.10.2024

PCJ & JMFC, SR Patna

Crime 34/2022

Case called out. Complainant absent. Heard, APP

perused records.

The K.R Sagara PS have filed C report before the Court. Thereafter this Court issued notice to complainant and the same has been served to the complainant, but he has not appeared before the court.

In spite of pending of the case the complainant has not appeared before the court.

More over the I.O has filed final C report.

The complainant has not appeared before the Court and the complainant has not chosen to contest the case.

Hence the C report filed by complainant police is hereby accepted for the time being.

Accordingly this case is disposed of.

21.10.2024

PCJ & JMFC, SR Patna

Crime 345/2014

Case called out. Complainant absent. Heard, APP

perused records.

The K.R. Sagara PS have filed C report before the Court. Thereafter this Court issued notice to complainant and the same has been returned unserved several times.

In spite of pending of the case the complainant has not appeared before the court.

More over the I.O has filed final C report.

The complainant has not appeared before the Court and the complainant has not chosen to contest the case.

Hence the C report filed by complainant police is hereby accepted for the time being.

Accordingly this case is disposed of.

21.10.2024

PCJ & JMFC, SR Patna

None

FDP 6/2014

Case called out

petitioner absent. Adv for petitioner present & filed application U/O 22 Rule 4 of CPC (IA.06) and also filed U/O 22 Rule 9 of CPC (IA.07) and U/S 5 of Limitation Act (IA.08) and also filed application U/o 1 Rule 10 of CPC (IA 09).

Advocate for respondent present and prays time to objection.

Heard both sides. Hence issue notice to proposed respondent 2(a) to (d) on IA No.6 to 8 and issue notice to proposed respondent No. 5 and 6 if steps taken and objections to IA No. 6 to 9.

R/by 28.11.2024

21.10.2024
PCJ & JMFC, SR Patna

O.S 23/2019

Case again called at 05.20 PM.

Plaintiff absent, advocate for plaintiff absent. Defendant absent. Adv for Defendant absent.

Perused records the plaintiff has filed this suit for the relief of recovery of money against the defendants. Thereafter this Court has issued summons to the defendant and he has appeared before the Court and he has filed his written statement. Accordingly, issues are framed. There after the matter was posted for plaintiff evidence. In the mean time the defendant had died and the applications was filed seeking to bring Lrs of defendant.

On careful perusal of order sheet the plaintiff is absent from past several dates of hearing and he failed to appear before the court and failed to proceed with the case.

On perusal of the order sheet, it shows the conduct of the plaintiff that the plaintiff is not interested to proceed with the case. Hence it is necessary to excise the powers conferred U/O 9 and 7 of CPC.

No grounds made out to adjourn this case based on the above observations this court proceed to

pass the following :

:: ORDER ::

The suit of the plaintiff is hereby
dismissed for non prosecution.

Accordingly this case is disposed of.

PCJ & JMFC, SR Patna

O.S 57/2015

Case called out.

Plaintiff absent. Adv for plaintiff present. Defendants absent. Advocate for defendant present and filed application U/o 16 Rule 1 and 2 r/w sec. 151 of CPC (IA No.12) seeking to adduce further evidence through witnesses with list of witnesses.

Advocate for plaintiff submitted that the IA no.12 may be allowed on cost

Heard both sides in the interest of justice. The IA no.12 is hereby allowed on cost of Rs.200/- .

Accordingly the defendants are permitted to adduce further evidence through witnesses.

Adv for defendant prays time. For further defendant evidence, if any.

Call on: 08.11.2024

21.10.2024

PCJ & JMFC, SR Patna

On perusal of the order sheet, it shows the conduct of the plaintiff that the plaintiff is not interested to proceed with the case. Hence it is necessary to excise the powers conferred U/O 9 Rule 17 of CPC.

No grounds made out to adjourn this case based on the above observations this court proceed to pass the following :

:: ORDER ::

The suit of the plaintiffs is hereby dismissed for non appearance of plaintiff.

Accordingly this case is disposed of.

PCJ & JMFC, SR Patna

O.S 189/2022

Case called at 05.15 PM.

Plaintiff absent, advocate for plaintiff absent. Def absent. Adv for Defendant absent.

Perused records the plaintiff has filed this suit for the relief of permanent injunction against the defendants. Thereafter this Court has issued summons to the defendants and defendant No. 4 has

appeared before the Court and he has filed his written statement. Thereafter the matter was posted for hearing on maintainability on the ground that the agreement of sale has not registered.

The suit is based on unregistered sale agreement but it has to be compulsory registrable document as per sec 17 of registration Act. Hence, the suit hit by section 17 of the said Act.

On perusal of the order sheet, it shows the conduct of the plaintiff that the plaintiff is not interested to proceed with the case. Hence it is necessary to excise the powers conferred U/O 9 Rule 17 of CPC. No grounds made out to adjourn this case based on the above observations this court proceed to pass the following :

:: ORDER ::

The suit of the plaintiffs is hereby dismissed for non appearance of plaintiff.

Accordingly this case is disposed of.

PCJ & JMFC, SR Patna

FDP 9/2016

case called out.

Petitioner No. 2 present, advocate
for petitioner No. 2 present.

Call on:28.10.2024.

21.10.2024

PCJ & JMFC, SR Patna

OS 100/2007

Second round case called out.

Plaintiff absent, adv for plaintiff present. Defendant absent. Advocate for defendant No. 2 present and filed application U/O 18 Rule 17 of CPC (IA.33) & also filed application U/S 151 of CPC (IA.34) seeking to recall DW2.

On the other hand adv for the plaintiff submitted that the IA.33 and 34 may be allowed on cost. Heard both sides. In the interest of justice IA.33 and 34 are hereby allowed on cost of Rs.300/- each. Accordingly the D 2 is hereby recalled and defence evidence is hereby reopened.

Dw2 is absent, advocate for D2 prays time.

Call on for appearance of DW 2 and cross examination of DW 2

Call on:28.10.2024.

21.10.2024

PCJ & JMFC, SR Patna

O.S 70/2010

Case called out. Plaintiff present
adv for plaintiff present and filed
application U/o 39 rule 2 (A) of
CPC with one document.

On the other hand Lrs of D1 present
and he prays time to file objection.

Heard both sides. Perused IA No. 20
and it is filed for the relief of
disobedience of the order passed by
this court on 30.05.2012. Hence, it
is necessary to register separate
civil Mis in order to avoid delay in
proceedings.

Hence, office is hereby directed to
register the separate Civil Mis
petition on IA No. 20 and place the
original IA No 20 in civil Mis and
place the xerox copy of IA No. 20 in
this suit. The counsel for
defendants are liberty to file
objection to IA No. 20 in the
separate Civil Mis petition.

Call on for arguments on merits.

Call on 22.10.2024.

21.10.2024

PCJ & JMFC, SR Patna

Crime 209/2019

Case called out. Complainant
absent. Heard, APP

perused records.

The K.R. Sagara PS have filed C
report before the Court. Thereafter
this Court issued notice to
complainant and the same has been
returned unserved several times.

In spite of pending of the case the complainant has not appeared before the court.

More over the I.O has filed final C report.

The complainant has not appeared before the Court and the complainant has not chosen to contest the case.

Hence the C report filed by complainant police is hereby accepted for the time being.

Accordingly this case is disposed of.

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10.2024

PCJ & JMFC, SR Patna

Crime 105/2023

Case called out. Complainant absent. Heard, APP

perused records.

The Arakere PS have filed C report before the Court. Thereafter this Court issued notice to complainant and the same has been returned unserved several times.

In spite of pending of the case the complainant has not appeared before the court.

More over the I.O has filed final C report.

The complainant has not appeared before the Court and the

complainant has not chosen to contest the case.

Hence the C report filed by complainant police is hereby accepted for the time being.

Accordingly this case is disposed of.

15.10.2024

PCJ & JMFC, SR Patna

CC 3692/2021

Case called out.

Complainant present. Advocate for complainant present. Accused present advocate for accused present .

Advocate for accused has paid Rs.10,000/- (Rupees ten thousand only) to the complainant by way of cash before court and he prays time.

Call on for balance payment finally.

Call on:21.11.2024.

21.10.2024
PCJ & JMFC, SR Patna

CC 395/2020

Case called out. A1 and A5 absent,
Heard, APP. Reissue B/W to A1 & 5.

Call on:4.12.2024.

21.10.2024
PCJ & JMFC, SR Patna

C.C No. 191/2017

Second round case called out
accused present. Adv for accused.
Present.

CW 1 and 2 present.

CW 1 is examined as PW 1 and
marked Ex. P 2, 2a and 3,3a. And
he is treated as hostile witness. The
learned APP cross examined PW1
fully with the leave of the court. The
adv for accused submitted no cross.

Cw2 is examined as PW 2 and he
is treated as hostile witness. The
learned APP cross examined PW2
fully with the leave of the court and
marked Ex. P 4, 4 a during cross
examination. The adv for accused
submitted no cross.

The inquest report is already
consently marked as Ex. P 1 . heard
APP. CW 5 to 8 are hereby given up.

The advocate for accused consented
to mark the P.M report and IMV
report. Hence, the P.M report and
IMV report are consently marked as
Ex. P 5 and 6 respectively. Heard
APP. Hence, the CW 13,14,15 are
hereby giveup.

Heard APP, issue SS to CW 9 to
12. R/by 25.11.2024

Ex. 44/2022

Case called out.

Advocate for DHR prays. Call on
for steps.

Call on:26.11.2024.

21.10.2024
PCJ & JMFC, SR Patna

CC 198/2019

Case called out

A1 to A3 present. Adv for accused present. Learned APP present.

Advocate for accused offered surety. Surety by name Hanumanthegowda S/o Chikkagirigowda, R/at P.Halli village, Arakere Hobli, SR Patna Taluk is present and offered surety and also produced the RTC bearing Sy.No.132/1A3 measuring 0.22 guntas situated at P.Halli village, Arakere Hobli, SR Patna Taluk for secure the presence of the accused. On enquiry satisfied hence the surety is hereby accepted.

Office is hereby directed to take bonds.

Heard arguments of both sides.

Hence posted for Judgment.

Call on 08.11.2024.

21.10.2024

PCJ & JMFC, SR Patna

CC 1168/2021

Case called out.

Accused present. Advocate for accused present and filed application U/Sec.70(2) of Cr.P.C to accused.

Heard, in the interest of justice the application is here by allowed on fine of Rs.300/-.

Hence the B/W against accused is hereby recalled.

Heard APP. Reissue SS to CW 2 and 3. R/by 04.12.2024.

21.10.2024

PCJ & JMFC, SR Patna

C C. 365/2015

Case called out.

Accused No. 1 to 3 present. Advocate for accused present and filed application U/Sec.70(2) of Cr.P.C to accused No. 1 to 3

Heard, in the interest of justice the

application is here by allowed on fine of Rs.300/- each.

Hence the B/W against accused No. 1 to 3 is hereby recalled.

Heard APP. Hence, reissue SS to CW 1 to 4. R/by 21.11.2024.

21.10.2024

PCJ & JMFC, SR Patna

CC 198/2019

Case called out

A1 to A3 present. Adv for accused present. Learned APP present.

Advocate for accused offered surety. Surety by name HanumanthegowdaChaluvaraju S/o Late Vairamudigowda, Age: 68 years, R/o: Behind Basaveshwara Temple, P.Hosahalli village, Belagola Hobli, SR Patna Taluk is present and offered surety and also produced the RTC bearing Sy.No.1/3 measuring 10 guntas situated at Hosahalli village, Belagola Hobli, SR Patna Tq for secure the presence of the accused. On enquiry satisfied hence the surety is hereby accepted.

Office is hereby directed to take bonds.

Heard arguments of both sides.

Hence posted for Judgment.

Call on 08.11.2024.

21.10.2024

PCJ & JMFC, SR Patna

CC 631/2021

Case called out.

Accused present. Advocate for accused present and filed application U/Sec.70(2) of Cr.P.C to accused.

Heard, in the interest of justice the application is here by allowed on fine of Rs.200/-.

Hence the B/W against accused is hereby recalled.

Heard APP. Reissue SS to CW 1 to 4. R/by 9.12.2024.

21.10.2024

PCJ & JMFC, SR Patna

FDP 9/2011

Case called out

petitioner absent. Adv for petitioner present & filed application U/O 22 Rule 4 of CPC (IA.12) and also filed U/O 22 Rule 9 of CPC (IA.13) and U/S 5 of Limitation Act (IA.14). With steps and IA copies.

Adv for respondent present. Heard both sides. Hence issue notice to proposed respondent 3(a) to (e) on IA No. 12 to 14.

R/by 21.11.2024

21.10.2024
PCJ & JMFC, SR Patna

Ex. 7/2011

Case called out.

Advocate for DHR prays time to take
steps. For steps.

Call on:16.11.2024.

21.10.2024
PCJ & JMFC, SR Patna

O.S 345/2021

Case called out.

PW 1 present. Adv for plaintiff present and the IA U/O 7 Rule 14 of CPC (IA No. 3) with documents.

On the other the defendant is placed exparte. Perused the IA U/O 7 R 14 of CPC. The plaintiff has filed the said application along with documents. On perusal of affidavit, grounds are made out, in the interest of justice the IA U/O 7R 14 of CPC is hereby allowed on cost of Rs.200/- which shall be paid to Hon'ble TLSA , Srirangapatna.

Accordingly the documents filed by the plaintiff is hereby taken on record subject to proof and admissibility.

Pw 1 is further chief examined and marked Ex. P 7 to 10 and closed her side.

On the other hand the defendant placed expart. Hence, the cross of PW 1 is taken as nil.

The advocate for plaintiff submitted that he has no further evidence . Accordingly, the evidence of plaintiff side is hereby closed. Defendant evidence is taken as nil. Posted for arguments.

Call on 15.11.2024

OS 131/2024

Case called out.

Both Advocates present, Advocate for plaintiff prays time. Hence, Call on for hearing on on for hearing on IA No. 1

Call on:16.11.2024.

21.10.2024
PCJ & JMFC, SR Patna

OS 131/2024

Case called out.

Both Advocates present, Advocate for plaintiff prays time. Hence, Call on for hearing on on for hearing on IA No. 1

Call on:16.11.2024.

21.10.2024

PCJ & JMFC, SR Patna

OS 389/2022

Case called out.

Advocate for plaintiff prays time.
Call on for hearing on IA No. 1

Call on:30.11.2024.

21.10.2024

PCJ & JMFC, SR Patna

CC 395/2020

Case called out. A1 and A5 absent,
Heard, APP. Reissue B/W to A1 & 5.

Call on:4.12.2024.

21.10.2024

CC 395/2020

Case called out. A1 and A5 absent,
Heard, APP. Reissue B/W to A1 & 5.

Call on:4.12.2024.

21.10.2024

CC 437/2015

Case called out. Accused absent, EP filed, heard and allowed. B/W returned unexecuted. Heard, APP, reissue B/W to CW 1.

Call on: 03.12.2024

21.10.2024

PCJ & JMFC, SR Patna

CC 2399/2021

Case called out. Complainant absent, advocate for complainant present, and filed not press memo seeking to dismiss the complaint.

Call on for appearance of complainant.

Call on: 05.12.2024

21.10.2024

PCJ & JMFC, SR Patna

CC 08/2017

Case called out.

Accused absent, EP filed,
heard and allowed. S/S returned
unexecuted. Heard, APP, reissue
B/W to CW 1 to 3.

Call on: 28.11.2024

21.10.2024

PCJ & JMFC, SR Patna

CC 135/2020

Case called out.

Accused absent, S/S returned unserved. Heard, APP, Hence, reissue S/S to accused.

Call on:30.11.2024

21.10.2024

PCJ & JMFC, SR Patna

CC 1317/2022

Case called out. S/S returned unserved. Heard, APP, reissue S/S to accused.

Call on:30.12.2024.

21.10.2024

PCJ & JMFC, SR Patna

CC 15/2023

Case called out.

Case called out. S/S returned unserved. Heard, APP, reissue S/S to accused.

Call on:30.12.2024

21.10.2024

PCJ & JMFC, SR Patna

Ex. 29/2018

Case called out.

DHR absent and JDR absent. Advocate for DHR present. Advocate of JDR has paid Rs.5000/- (Rupees five thousand only) to the advocate for DHR before Court by way of cash and she prays time.

For balance payment.

Call on:20.11.2024.

21.10.2024

PCJ & JMFC, SR Patna

CC 1606/2021

Case called out.

A1 and 2 absent, S/S returned unserved. Heard, APP, reissue S/S to accused No. 1 and 2

Call on:13.01.2025.

21.10.2024

PCJ & JMFC, SR Patna

O.S 141/2014

Case called out. Advocate for plaintiff present. Call on for await C/R.

Call on:14.11.2024

21.10.2024

PCJ & JMFC, SR Patna

CC 291/2024

Case called out.

Accused absent, advocate for complainant present and took

steps. NBW returned unexecuted.
Heard, APP, Hence, issue B/W to
accused.

Call on: 23.12.2024

21.10.2024
PCJ & JMFC, SR Patna

Crl. Mis 16/2024

Case called out. Petitioner and her
counsel absent, reissue notice to
respondent, if steps taken.

Call on: 12.12.2024.

21.10.2024
PCJ & JMFC, SR Patna

OS 149/2024

Case called out.

Plaintiff absent. Adv. for plaintiff present and filed application U/Sec. 151 of CPC seeking extension of TI.

D1 and 2 absent, They failed to engage counsel. Hence, the defendant No.1 and 2 are hereby placed exparte.

S/S of D6 returned unserved.
S/S of D4 and 5 not returned.

Heard counsel for plaintiff.

Reissue S/S to D 4 to 6 if steps taken
Call on.05.12.2024.

21.10.2024

PCJ & JMFC, SR Patna

PCR 10/2020

Case called out. Advocate for complainant present. Call on for await report.

Call on: 02.12.2024

21.10.2024

PCJ & JMFC, SR Patna

CC 292/2024

Case called out.

Accused absent, advocate for complainant present and took steps. NBW returned unexecuted. Heard, APP, Hence, issue B/W to accused.

Call on: 24.12.2024

21.10.2024

PCJ & JMFC, SR Patna

O.S 365/2023

Case called out.

Plaintiff absent. Adv for plaintiff absent. Def absent. Adv for defendant absent.

Issues are framed. Posted for filing of LOD and LOW and plaintiff

evidence.

Call on: 18.12.2024

21.10.2024

PCJ & JMFC, SR Patna

O.S 317/2023

Case called out.

Plaintiff absent. Adv for plaintiff
absent. Def absent. Adv for
defendant absent.

Issues are framed. Posted for filing
of LOD and LOW and plaintiff
evidence.

Call on: 18.12.2024

21.10.2024

PCJ & JMFC, SR Patna

O.S 421/2023

Case called out.

Plaintiff absent. Adv for plaintiff
absent. Def absent. Adv for
defendant absent.

Issues are framed. Posted for filing
of LOD and LOW and plaintiff
evidence.

Call on: 11.12.2024

21.10.2024

PCJ & JMFC, SR Patna

O.S 241/2024

Case called out.

Both advocate absent, Advocate for plaintiff prays time. For hearing on IA.

Call on:27.11.2024

21.10.2024
PCJ & JMFC, SR Patna

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR PatnaCC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024
PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024
PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024
PCJ & JMFC, SR PatnaCC
Case called out.

Call on:

21.10.2024
PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024
PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR PatnaCC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024
PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024
PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024
PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024
PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR PatnaCC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR PatnaCC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR PatnaCC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024
PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024
PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024
PCJ & JMFC, SR PatnaCC
Case called out.

Call on:

21.10.2024
PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR PatnaCC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024
PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024
PCJ & JMFC, SR PatnaCC
Case called out.

Call on:

21.10.2024
PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024
PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024
PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024
PCJ & JMFC, SR PatnaCC
Case called out.

Call on:

21.10.2024
PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024
PCJ & JMFC, SR Patna

OS 329/2023

Case called out.

Both advocates present, advocate
for plaintiff prays time, Call on for
P/E.

Call on:11.12.2024.

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR PatnaCC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024
PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024
PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024
PCJ & JMFC, SR PatnaCC
Case called out.

Call on:

21.10.2024
PCJ & JMFC, SR Patna

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Case called out.

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Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC 1125/2022

Case called out.

Complainant present. Advocate for complainant present. Accused absent advocate for accused present and files to EP accused heard and allowed.

Advocate for accused has paid Rs.10,000/- (Rupees ten thousand only) to the complainant by way of cash before court and he prays time.

Call on for balance payment finally.

Call on:04.11.2024.

21.10.2024

PCJ & JMFC, SR Patna

OS 151/2021

Case called out.

Both advocates present, advocate for defendant prays time, Call on for reply arguments on IA no.1 finally.

Call on:14.11.2024.

21.10.2024

PCJ & JMFC, SR Patna

Ex 01/2020

Case called out.

Advocate for DHR present.

Await commissioner report.

Call on:30.11.2024.

21.10.2024

PCJ & JMFC, SR Patna

Ex 69/2016

Case called out.

A/W returned unexecuted, heard
counsel for DHR, Reissue A/W
against Jdr if steps taken.

Call on:02.12.2024.

21.10.2024

PCJ & JMFC, SR Patna

Ex 26/2014

Case called out.

DHR absent. Advocate for DHR
prays time. For hearing on IA.

Call on:23.11.2024.

21.10.2024
PCJ & JMFC, SR Patna

Ex 79/2014

Case called out.

A/W returned unexecuted, advocate
for DHR filed PF memo, heard hence
reissue A/W against JDR.

Call on:28.11.2024.

21.10.2024

PCJ & JMFC, SR Patna

OS 357/2023

Case called out.

Pw1 absent, advocate for plaintiff
prays time, advocate for defendant
present, Call on for F/C/Pw1.

Call on:28.11.2024.

21.10.2024

PCJ & JMFC, SR Patna

OS 355/2023

Case called out.

Both advocate present. Advocate for defendant prays time. For reply arguments on IA.1.

Call on:15.11.2024.

21.10.2024

PCJ & JMFC, SR Patna

OS 263/2023

Case called out.

Both advocate present. Advocate for plaintiff prays time. For hearing on IA.1 finally.

Call on:08.11.2024.

21.10.2024

PCJ & JMFC, SR Patna

OS 255/2023

Case called out.

Advocate for plaintiff present, S/S returned unserved, heard, hence reissue S/S to defendants if steps and correct address furnished.

Call on:19.12.2024.

21.10.2024

PCJ & JMFC, SR Patna

OS 183/2023

Case called out.

S/S not returned

Await SS of D1 and D3.

Call on:27.11.2024.

21.10.2024

PCJ & JMFC, SR Patna

Ex 33/2010

Case called out.

DHR absent and JDR present.
Advocate for DHR present. JDR paid
Rs.3000/- (Rupees three thousand
only) to the advocate for DHR before
Court by way of cash and he prays
time.

For balance payment.

Call on:26.10.2024.

21.10.2024

PCJ & JMFC, SR Patna

OS 115/2023

Case called out.

Plaintiff absent. Advocate for
plaintiff present. Re issue SS to D3
through RPAD, if steps taken.

Call on:07.12.2024.

21.10.2024

PCJ & JMFC, SR Patna

OS 389/2020

Case called out.

Pw-1 present, advocate for plaintiff
absent, advocate for D.1 prays time,
Call on for X of Pw1.

Call on:05.12.2024.

21.10.2024
PCJ & JMFC, SR Patna

OS 327/2020

Case called out.

Advocate for plaintiff prays time. For further plaintiff evidence.

Call on:07.12.2024.

21.10.2024

PCJ & JMFC, SR Patna

OS 49/2020

Case called out.

Pw.3 absent, advocate for plaintiff prays time, Call on for appearance of Pw.3 and X of Pw.3.

Call on:07.12.2024.

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR PatnaCC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR PatnaCC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR PatnaCC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024
PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024
PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024
PCJ & JMFC, SR PatnaCC
Case called out.

Call on:

21.10.2024
PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR PatnaCC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

OS 441/2023

Case called out.

Plaintiff absent. Advocate for plaintiff present. Defendant absent. Heard counsel for plaintiff. Hence reissue SS to D3 to D5 through RPAD, if steps and correct address furnished.

Call on:18.12.2024.

21.10.2024

PCJ & JMFC, SR Patna

EX 12/2018

Case called out.

Both parties absent, advocate for DHR present, advocate for Jdr present, advocate for DHR prays time. Call on for hearing on IA.

Call on:29.11.2024.

21.10.2024

PCJ & JMFC, SR Patna

Ex 03/2020

Case called out.

Both parties absent, both advocate present. Await commissioner report.

Call on:03.12.2024.

EX 08/2024

Case called out.

Both advocates present, advocate
for JDR prays time, Call on for
objection to IA No.1.

Call on:21.11.2024.

21.10.2024

PCJ & JMFC, SR Patna

EX 33/2020

Case called out.

DHR absent. Counsel for DHR prays
time to take further steps.

Call on:30.11.2024.

Ex 20/2020

Case called out.

DHR present, advocate for DHR
present, advocate for JDR prays
time, Call on for objection to IA no.2
finally.

Call on:23.11.2024.

21.10.2024

PCJ & JMFC, SR Patna

Mis 09/2020

Case called out.

Petitioner present. Advocate for
petitioner prays time. For inquiry
finally.

Call on:28.11.2024.

21.10.2024

PCJ & JMFC, SR Patna

Mis 05/2016

Case called out.

Both advocate present. Advocate for petitioner prays time. For further petitioner evidence finally.

Call on:21.11.2024.

21.10.2024
PCJ & JMFC, SR Patna

Ex 67/2017

This case is taken on board.

The JDR by name Sri.Ramegowda is produced on Execution of Arrest warrant through Bailief by name Sri.Rajegowda at 12.20 PM before this court. On inquiry the Jdr has not complied any ill treatment.

Advocate for DHR present.

The Jdr has paid Rs.20,000/- (Rupees twenty thousand only) to the counsel for DHR before court by way of cash. And he prays time to make balance payment. Heard both sides in the interest of justice and in view of payment made by the jdr, the arrest warrant issued against the jdr is hereby recalled.

Office is hereby directed to pay the SA amount to the bailief in accordance with law.

Call on hearing date.

21.10.2024

PCJ & JMFC, SR Patna

FDP 07/2011

Case called out.

Case is advanced and taken on board, Office is to write a request letter before the CRR. Mandya for calling the records, Call on.08.11.2024.

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR PatnaCC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024
PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024
PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024
PCJ & JMFC, SR PatnaCC
Case called out.

Call on:

21.10.2024
PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR PatnaCC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

OS 159/2023

Case called out.

Both advocates present, advocate for plaintiff prays time, Call on for hearing on IA No.1.

Call on:28.11.2024.

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

OS 219/2024

Case called out.

Plaintiff absent. Adv. for plaintiff present.

Defendant present, advocate for defendant present and filed application U/Sec. 148 of CPC (IA No. 2) Seeking time to file W/S.

Heard both sides in the interest of justice IA No. 2 is hereby allowed on cost of Rs. 200/. Accordingly time is granted.

For W/S. and objection to IA. No. 1
Call on:21.11.2024.

21.10.2024

PCJ & JMFC, SR Patna

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024
PCJ & JMFC, SR Patna

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Case called out.

Call on:

21.10.2024
PCJ & JMFC, SR Patna

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Case called out.

Call on:

21.10.2024
PCJ & JMFC, SR PatnaCC
Case called out.

Call on:

21.10.2024
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Case called out.

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OS 263/2018

Case called out.

PW1 present. Advocate for plaintiff present and filed application U/O 18 Rule 17 of CPC (IA.6) & also filed application U/S 7 R 14 of CPC (IA.7) seeking to recall PW1 and production of documents.

On the other hand adv for the

defendant submitted that the IA.6 & 7 may be allowed on cost. Heard both sides. In the interest of justice IA.6 & 7 are hereby allowed on cost of Rs.200/- each. Accordingly the Pw1 is hereby recalled and the document filed by the plaintiff is hereby by taken on record subjected to proof and admissibility.

Pw1 is further C/Examined and marked Ex.P 8 to 11 and closed is side.

Advocate for defendant prays time.

For appearance of PW1 and cross of PW1.

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OS 11

Case called out.

Plaintiff absent advocate for plaintiff
present. Defendant absent. Dw1
absent, advocates of Lrs of D.1

present and filed memo along with DD towards stamp duty and penalty on unregistered Palu patti dated.14.06.1984. Office is hereby directed to collect the same.

Office is hereby further directed to send the unregistered Palu patti dated.104.06.1984 to the district registrar, Mandya for adjudication and the district register Mandya is hereby directed to adjudicate the said document and resend the same to this court with out any delay.

Call on for await DR report and production of document and F/C/Dw1.

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21.10.2024

PCJ & JMFC, SR Patna

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

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21.10.2024

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21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PC
J &
JM
FC,
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OS 69/2024

Case called out.

Plaintiff absent. Adv. for plaintiff present and filed application U/Sec. 151 of CPC seeking extension of TI.

Heard counsel for plaintiff, in the interest of justice, the I.O, is hereby extended till next date.

Defendants and their counsel absent.

Call on for W/S and objections to IA No.1 finally by.26.10.2024.

21.10.2024

I/C PSCJ & JMFC, SR Patna

MVC 1808/2023

Case called out.

Petitioner absent advocate for
petitioner present and filed memo
along with two daily news paper.

No interest persons appeared.
Service held sufficient. Call on for
appearance of respondents and
interested persons if any.

Call on: 05.11.2024.

21.10.2024

I/C PSCJ & JMFC, SR Patna

OS 249/2023

Case called out.

Plaintiff absent. Advocate for plaintiff present and filed application application U/O 5 Rule 20 of CPC (IA No.1) seeking to take substitute service by way of affixture. Heard. In the interest of justice the application is hereby allowed accordingly the plaintiff is hereby permitted to take the

substitute service by way of
affixture.

The process server is hereby
directed to affix the summons of D2
and 3 on the main door of the house
of D2 and 3 and submit the report
accordingly.

Call on:10.12.2024.

21.10.2024

PCJ & JMFC, SR Patna

OS 109/2021

Case called out.

Plaintiff absent. Adv. for plaintiff present and filed application U/Sec. 151 of CPC seeking extension of TI.

Heard counsel for plaintiff, in the interest of justice, the I.O, is hereby extended till next date.

Defendants absent advocate for defendant no.4 and 7 present, advocate for defendant no.13 present.

Advocate for plaintiff submitted that she has further arguments on IA no.5 and 12 hence this case is posted for further arguments IA no.5 and 12.

Call on.07.11.2024.

21.10.2024

I/C PSCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR PatnaCC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PC
J &
JM
FC,
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OS 465/2017

Case called out.

DW-1 present. Advocate for defendant present and filed application U/O 8 Rule 1 of CPC (IA.11) seeking to produce three documents. On the other hand advocate for the plaintiff submitted that the IA.11 may be allowed on cost. Heard both sides. In the interest of justice IA.11 is hereby allowed on cost of Rs.200/-. Accordingly the documents filed by defendant is hereby taken on record subjected to proof and admissibility.

Advocate for defendant prays time.

Call on for further chief of Dw.1.
Call on:21.11.2024.

21.10.2024

PCJ & JMFC, SR Patna

Case called out.

Call on:

21.10.2024
PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024
PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024
PCJ & JMFC, SR PatnaCC
Case called out.

Call on:

21.10.2024
PCJ & JMFC, SR Patna

OS 135/2019

Case called out.

PW1 absent. Advocate for plaintiff
prays time. Advocate for defendant
present. For further chief of PW1.

Call on:30.11.2024.

21.10.2024

PCJ & JMFC, SR Patna

OS 221/2019

Case called out.

Both advocate present. Advocate for plaintiff prays time to report settlement.

Call on:06.12.2024.

21.10.2024

PCJ & JMFC, SR Patna

OS 205/2019

Case called out.

PW1 absent. Advocate for plaintiff
prays time. For further chief of PW1.

Call on:05.12.2024.

21.10.2024

PCJ & JMFC, SR Patna

OS 159/2019

Case called out.

PW3 absent, advocate for plaintiff
prays time, advocate for defendant
present, Call on for appearance of
PW3 and X of PW.3.

Call on:28.11.2024.

21.10.2024

PCJ & JMFC, SR Patna

OS 49/2017

Case called out.

Advocate for plaintiff prays time. For
payment of Court fee.

Call on:29.11.2024.

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR PatnaCC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

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Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

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Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR PatnaCC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

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Case called out.

Call on:

21.10.2024
PCJ & JMFC, SR Patna

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Case called out.

Call on:

21.10.2024
PCJ & JMFC, SR Patna

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Case called out.

Call on:

21.10.2024
PCJ & JMFC, SR PatnaCC
Case called out.

Call on:

21.10.2024
PCJ & JMFC, SR Patna

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Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

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Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

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Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR PatnaCC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

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Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

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Case called out.

Call on:

21.10.2024
PCJ & JMFC, SR Patna

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Case called out.

Call on:

21.10.2024
PCJ & JMFC, SR PatnaCC
Case called out.

Call on:

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PCJ & JMFC, SR Patna

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Call on:

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PCJ & JMFC, SR PatnaCC

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Call on:

21.10.2024

PCJ & JMFC, SR Patna

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PCJ & JMFC, SR Patna

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Call on:

21.10.2024

PCJ & JMFC, SR Patna

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Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Call on:

21.10.2024

FDP 8/2012

Case advanced & taken on board.

Petitioner absent. Adv for petitioner present & filed application U/S 151 of CPC seeking to revalidate the decree & prays to revalidate the decree. Heard arguments.

ORDERS ON IA FILED BY PETITIONER UNDER SEC 151 OF CPC

The petitioner has filed application U/S 151 of CPC seeking to revalidate the decree as to present the decree before the office to Sub-registrar for registration.

2. The petitioner has filed the affidavit. It has been stated that this petition is filed seeking for to draw final decree. Final decree has been drawn on the stamp paper. The final decree engrossed on the stamp paper has not been produced before Sub-registrar office for its registration within time. When the same has been produced before the Sub-registrar, the authority has denied to register the same. Hence prays to revalidate the decree by allowing the IA.

3. heard submission. Perused the records.

4. The court has signed the final decree on 27.04.2024. Under these circumstances, as per rules the petitioners ought to have get the same registered within four months. But they have not presented the

same before Sub-registrar for registration within time. As this petition was disposed by filing compromise petition and final decree has been drawn, petitioners ought to have get the registered the same in stamp paper. Under these circumstances, in order to avoid multiplicity of proceedings and in order to realize the fruits of the decree, the application filed by petitioners is hereby allowed and decree is revalidated.

PCJ & JMFC, SR Patna

Case called at 5-45 P.M.
DHr absent, advocate for DHr absent.

Perused the records, the DHr herein filed this execution petition seeking to enforcement of order passed in **OS.No. 108/2010 dated 30.10.2010 for Recovery of Rs.1,28,217/-.**

Thereafter this court issued notice to the JDrs and they have appeared before the Court & they have paid part payment to the DHR. Thereafter the JDR has not appeared before the Court hence this court issue arrest warrant to JDR.1 & the same has been returned unexecuted several times.

Thereafter the matter was posted for further steps.

On perusal of the order sheet it found that, from past several dates of hearing the DHR is absent and the DHR failed to appear before the court and failed to take necessary steps to proceed with the execution petition. In spite of taking sufficient time the DHR has not appeared before the court. The conduct of the DHR shows that he is not interested to proceed with the case. No grounds made out to adjourn this case. Based on the above observation this court is proceed to pass the following :

ORDER ::

The execution petition filed by the DHR is hereby closed.
Accordingly this case is disposed of.

PCJ & JMFC, SR Patna

Case called at 05.40 PM.

Plaintiff absent, advocate for plaintiff absent. Def absent. Adv for D1 present & opposed to grant

adjourned and submitted that the plaintiff has sufficient time to lead evidence and prays to dismiss the case.

Perused records the plaintiff has filed this suit for the relief of declaration and permanent injunction against the defendants. Thereafter this Court has issued summons to the defendants and the D1 has appeared before the Court and he has filed his written statement. Accordingly issues were framed. Thereafter the PW1 has adduced his examination in chief, thereafter the matter was posted for further chief of PW1.

On careful perusal of ordersheet the plaintiff is absent from past several dates of hearing and he failed to appear before the court and failed to proceed with the case.

On perusal of the order sheet, it shows the conduct of the plaintiff that the plaintiff is not interested to proceed with the case. Hence it is necessary to exercise the powers conferred U/O 17 of CPC.

No grounds made out to adjourn this case based on the above observations this court proceed to pass the following :

:: ORDER ::

The suit of the plaintiffs is hereby dismissed for non prosecution.

Accordingly this case is disposed of.

PCJ & JMFC, SR Patna

Case called out. Accused present.
Advocate for accused present and
filed application U/Sec.70(2) of
Cr.P.C to accused.

Heard, in the interest of justice the
application is here by allowed on
fine of Rs.200/-.

Hence the NBW against accused is
hereby recalled.

Office is hereby directed to issue
intimation to concerned P.S. for
returned of NBW without its
execution.

Case called out.

A1 & A3 absent.

Proclamation report received,
unexecuted. Heard APP. Hence
reissue proclamation against the
accused No.1 & 3 & the same shall
be published on or before
08.07.2024 & submit report.

Accused absent.

SS returned unserved. Heard APP.
Hence re issue SS to accused.

Complainant absent. Adv for complainant present & filed PF memo.

Heard. Issue B/w to accused.

Complainant absent. Adv for complainant present. Accused absent. Adv for accused present & submitted that he has reported the death of accused.

Adv for complainant submitted that matter may be closed. In view of the death of the accused the present complaint against the accused is hereby abated. Accordingly this case is disposed of.

Case again called at 5-05 P.M.
Complainant absent, advocate for
complainant absent.

Perused the records, the
complainant herein filed this
complaint U/Sec.200 of Cr.P.C.
against the accused for the offences
punishable U/Sec.138 of N.I.Act .

Thereafter this court issued
summons to the accused and the
same has been returned unserved
several times. Thereafter the matter
was posted for steps.

On perusal of the order sheet the
complainant has not appeared
before the court regularly and he
failed to take necessary steps to
secure the presence of the accused
and he failed to proceed with the
complaint. The conduct of the
complainant is shows that the
complainant is not interested to
proceed with the case finally and
last chance also extended.

No grounds made out to adjourn
this case, Based on the above
observation, this court proceed to
pass the following:-

:: ORDER ::

The complaint filed by the
complainant is hereby dismissed.

PCJ & JMFC, SR Patna

Case called out.

Accused absent.

SS of A2 returned unserved. NBW of A1 returned unexecuted. Heard APP. Hence re issue SS to A2 & Issue Bailable warr to A1

Call on: 06.08.2024

Case called out.

Complainant absent. Heard APP.

Reissue notice to complainant.

Call on: 24.10.2024

Case called out.

Plaintiff absent. Adv. for plaintiff present and filed application U/Sec. 151 of CPC seeking extension of TI.

Heard counsel for plaintiff, in the interest of justice, the I.O, is hereby extended till next date.

(Plaintiff chief)

Case called out.

Plaintiff present. Adv for plaintiff present. Def absent. Adv for defendant present.

Plaintiff No.2(c) present & examined as PW1 & he has filed his examination in chief by way of affidavit & marked Ex.P1 to P4 and closed his side.

Adv for defendant prays time. For

cross of PW1.

Case called out.

Plaintiff absent. Adv. for plaintiff present and filed application U/Sec. 151 of CPC seeking extension of TI.

Heard counsel for plaintiff, in the interest of justice, the I.O, is hereby extended till next date.

Defendant absent, advocate for defendant present and filed application U/Sec. 148 of CPC (IA No. 2) Seeking time to file W/S.

Heard both side in the interest of justice IA No. 2 is hereby allowed on cost of Rs. 200/. Accordingly time is granted.

For W/S. and objection to IA. No. 1

Case called out.

PW1 present. Adv for plaintiff present. Adv for defendants present. Heard hence adjourned.

For appearance of PW1 and cross of PW1 finally.

(PLEA IPC)

Accused present, advocate for accused present. Charge-sheet copy already supplied.

Substance of accusation is framed and read over and explained to accused in vernacular.

The Accused person is denied the same and claimed to be tried by this court, hence, this case is taken up for trial.

Issue SS to Cw1 to Cw3.

Case called out. Accused no.1 & 2 present, advocate for accused present.

APP present.

The charge sheet copy already supplied to the advocate for accused in compliance of Sec.207 of Cr.P.C.

The advocate for accused submits that the charges may be framed. Heard both sides.

Perused the materials available on record, there are sufficient grounds to frame the charges against the Accused no.1 & 2. Hence, charges are framed.

The charges are read over and explained to the Accused no.1 & 2 in the language known to them.

The Accused persons are denied the same and claimed to be tried by this court, hence, this court is of the opinion that the answers given by the accused persons are

voluntary. Hence this case is taken up for trial.

Issue S/S to CW-1 to 3

Case called out.

Plaintiff absent. Adv for plaintiff present.

Def absent. Adv for Def present & submitted that the IA U/O 7 Rule 14 of CPC may be allowed on cost. Heard both sides. Perused the IA U/O 7 R 14 of CPC. The plaintiff has filed the said application along with documents. On the other hand defendant submitted no objections to said IA. On perusal of affidavit, grounds are made out, in the interest of justice the IA U/O 7R 14 of CPC is hereby allowed on cost of Rs.200/-.

Accordingly the documents filed by the plaintiff is hereby taken on record subject to proof and admissibility..

For further plaintiff evidence, if any.

(313 NI ACT)

Complainant present, advocate for complainant absent.

Accused present. Advocate for accused present.

313 statement recorded read over and explained to the accused in the language known to him, he denied

same in to and he has chosen to lead defence evidence.
Hence posted for defense evidence.

Plaintiff absent. Adv for plaintiff absent. Def absent. Adv for defendant absent.

The statutory period for filing W/S is over, hence W/S of defendant and objection to IA.1 is taken as not filed. Posted for plaintiff evidence.

Case advanced and taken on board. Plaintiff present, advocate for plaintiff present.
Defendant No.1 to 6 present, advocate for defendants present.
The plaintiff and defendants have filed joint compromise petition U/O 23 rule 3 of CPC and prays to decree the suit as per the terms in the compromise petition.
Heard arguments of both sides.

:: ORDERS ON COMPROMISE

PETITION ::

The Plaintiff and defendants have jointly filed compromise petition U/o 23 Rule 3 of CPC. The contents of the entire compromise petition read over and explained to the Plaintiff and defendants and the said contents are admitted as true and correct by the Plaintiffs and defendants.

Perused the records, and in the compromise petition it is stated that, they have compromised and it is further mentioned that, the Plaintiff and defendants are paying Rs.2,00,000/- to the plaintiff towards the advance sale consideration as well as compensation.

The plaintiff herein agreed to receive the said amount and she is further agreed to execute cancellation deed in favour of defendants.

This court orally enquired with the Plaintiff and defendants and they submitted that they have agreed the same in terms of conditions as mentioned in the compromise petition.

The defendants have paid Rs.2,00,000/- (Rupees Two lakhs only) to the plaintiff by way of cash before Court.

Both the parties have filed their respective Adhar Cards for the purpose of their identity in compliance of circular issued by the Hon'ble High Court of Karnataka. The Adhar cards of the both the parties verified by this court.

The Plaintiff and defendants have agreed to compromise in terms of the compromise petition. That, on perusal of the entire terms and conditions of compromise petition and case records it appears that the

compromise between parties to the suit are lawful and there is no force, coercion and misrepresentation and in accordance with law. Hence the said compromise petition is deserves to be accepted and compromise is recorded, in the result , this court proceed to pass the following : -

:: ORDER ::

The Compromise petition filed by the both parties U/o 23 Rule 3 of CPC is hereby accepted.

The suit is decreed in terms of the said compromise petition.

Draw decree accordingly.

The compromise petition shall part and parcel of the decree.

Office is hereby directed to refund the Court fee in favour of the plaintiff after expiry of the appeal period in accordance with law.

(C report)

Complainant absent. Adv for complainant absent.

The Arakere PS have filed C report before the Court. Thereafter this Court issued notice to complainant and the same has been served to complainant but he has not appeared before the Court and he has not chosen to contest the case. Hence the C report filed by complainant police is hereby accepted for the time being.

Accordingly this case is disposed of.

Case called out.

Plaintiff absent. Adv for plaintiff present.

D1 present. Adv for defendant present & filed application U/O 18 Rule 17 of CPC (IA.1) & also filed application U/S 151 of CPC(IA.2) seeking to recall PW1 & reopen

plaintiff evidence. On the other hand adv for the plaintiff submitted that the IA.1 & 2 may be allowed on cost. Heard both sides. In the interest of justice IA.1 & 2 are hereby allowed on cost of Rs.200/- each. Accordingly the plaintiff evidence is hereby reopened and the PW1 is hereby recalled.

For appearance of PW1 and cross of PW1.

Call on: 06.07.2024.

(W/S permission)

Case called out.

Plaintiff absent. Adv for plaintiff present.

Def absent. Adv for D1 present & filed application U/S 151 of CPC (IA.3) with W/s of D1.

On the other hand adv for plaintiff submitted that IA.3 may be allowed oncost. In the

heard both sides in the interest of justice the IA.3 is hereby allowed on cost of Rs.200/-. Accordingly the W/S of defendant is hereby taken on record. Adv for plaintiff prays time.

For hearing on IA.1

Case called out.

Plaintiff absent. Adv for plaintiff absent. Def absent. Adv for defendant absent.

Issues are framed. Posted for filing of LOD and LOW and plaintiff evidence.

Case called out.

Plaintiff absent. Adv for plaintiff present.

Def No.1 present. Adv for defendant present & filed application U/o 16 Rule 1 and 2 r/w sec. 151 of CPC (IA No.9) seeking to adduce further evidence through witnesses with list of witnesses.

Advocate for defendant submitted

that the IA no.9 may be allowed on cost

Heard both sides in the interest of justice. The IA no.9 is hereby allowed on cost of Rs.200/- .

Accordingly the defendants are permitted to adduce further evidence through witnesses.

Adv for defendant prays time. For further defendant evidence, if any.

Call on: 19.06.2024

Accused absent. Adv for accused absent. Learned APP filed memo with death certificate of accused.

Heard APP.

In view of the death of the accused the present case against the accused is hereby abated.

Accordingly this case is disposed of.

Case called out.

PW1 present. Adv for plaintiff present & filed application U/S 151 of CPC (IA.7) seeking to recall PW1 to adduce further chief examination.

Def absent. Adv for defendants present & submitted that the IA.7 may be allowed on cost. Heard both sides. In the interest of justice IA.7 are hereby allowed on cost of Rs.200/-. Accordingly the PW1 is hereby recalled.

Adv for plaintiff prays time.

For further chief examination of PW1.

Call on: 25.06.2024

Case called out.

DHR and JDR present. Adv for DHR present. JDR paid Rs.5000/- to the DHR before Court by way of cash and he prays time.

For balance payment.

Case called out.

Accused is not produced from JC before the Court.

The PSI of Arakere PS has filed requisition through APP seeking time to produce the accused.

Heard APP. Hence JC of accused is hereby extended till next date of hearing.

For production of accused.

Case called out.

Accused No.1 to 4 present. Adv for accused present.

Cw5 & Cw6 present. Cw5 is

examined as PW4 and marked Ex.P2(b) and he is treated as hostile witness. The learned APP cross examined PW4 fully with the leave of the court. The adv for accused submitted no cross.

Cw6 is examined as PW5 and marked Ex.P2(c) and he is treated as hostile witness. The learned APP cross examined PW5 fully with the leave of the court. The adv for accused submitted no cross.

Cw4 absent. Heard APP. Hence issue B/w to Cw4 and issue SS to Cw7.

Call on: 01.07.2024

Cmis

Case called out.

Petitioner and counsel absent. Notice served to respondent. Called out. Absent. Service held sufficient. Issue paper citation if steps taken.

Call on: 13.08.2024

PCJ & JMFC, SR Patna

OS 103/2019

Case called at 4-30 P.M. Plaintiff absent, advocate for plaintiff absent.

Perused records the plaintiff has filed this suit for the relief of

partition & separate possession against the defendants. Thereafter his Court has issued summons to the defendants and the D1, D2 and D6 have appeared before the Court and they have not filed their written statement. Thereafter matter was posted for plaintiff evidence.

On perusal of the order sheet the plaintiff is absent from past several dates of hearing and the plaintiff failed to appear before the court and failed to adduce her evidence and failed to proceed with the case.

On perusal of the order sheet, it shows the conduct of the plaintiff that the plaintiff is not interested to proceed with the case.

No grounds made out to adjourn this case based on the above observations this court proceed to pass the following :

:: ORDER ::

The suit of the plaintiff is hereby dismissed for non prosecution.

PCJ & JMFC, SR Patna

Mis

Case called at 05.45 PM

Petitioner absent, advocate for

Petitioner absent.

Perused the records, the Petitioner herein filed this U/O 9 Rule 4 of CPC seeking to set aside the order dtd: 10.07.2023 passed in OS.No.351/2019.

Thereafter this court issued notice to the respondents but the petitioners has not taken any steps. Thereafter the matter was posted for steps.

On perusal of the order sheet it found that, from past several dates of hearing the petitioner is absent and the petitioner failed to appear before the court and failed to take necessary steps to proceed with the case. In spite of taking sufficient time the petitioner has not appeared before the court. The conduct of the petitioner shows that he is not interested to proceed with the case. No grounds made out to adjourn this case. Based on the above observation this court is proceed to pass the following :

ORDER ::

The petition filed by the petitioner is hereby dismissed for not taking steps.

Accordingly this case is disposed of.

A1 & A2 present. Adv for accused present.

Learned APP present and submitted that the application U/S 311 may be allowed on heavy cost. Heard

both sides. In the interest of justice the application U/S 311 of Cr.P.C is hereby allowed on cost of Rs.500/-.

Accordingly PW5 is hereby recalled.

Issue SS to PW5.

Plaintiff absent. Adv for plaintiff present.

One witness by name Sri.Gopalakrishna is present & he is examined as PW2 & he has filed his examination in chief by way of affidavit & no documents marked.

Adv for defendants prays time for appearance of PW2 and cross of PW2.

Case called out.

Plaintiff present. Adv for plaintiff present & filed application U/O 23 rule 1 of CPC seeking permission to withdraw this suit.

Heard counsel for plaintiff. The suit is filed for declaration and permanent injunction against the defendants.

On enquiry the plaintiff submitted that the case may be closed.

In view of the submission made by the plaintiff and his counsel this Court proceed to pass the following:

ORDER

The IA.2 U/O 23 rule 1 of CPC filed by the plaintiff is hereby allowed.

Accordingly the suit of the plaintiff is hereby dismissed as withdrawn.

Accordingly this case is disposed of.

PCJ & JMFC, SR Patna

Case called out.

No representation from either side.

Report not received. Hence issue remainder notice to court commissioner & await report.

Plaintiff absent, advocate for plaintiff present.

Defendants present, advocate for defendants present.

Advocate for proposed defendant No.3 submitted that the IA.13 may be allowed on cost.

Heard, both sides, perused IA

no.13, the proposed defendant no.3 is the adjacent land owner of the suit schedule property hence she is also necessary party in the present case and in the interest of justice the IA No. 13 is hereby allowed on cost of Rs.300/-.

Accordingly, the proposed defendant no.3 shall be brought on record as defendant no.3.

The advocate for plaintiff is hereby directed to amend the cause title as per order on IA no.13 and to file amended plaint.

(PLEA)

Complainant absent. Adv for complainant absent. Accused present, advocate for accused present.

Substance of accusation is framed and read over and explained to accused in vernacular.

The Accused person is denied the same and claimed to be tried by this court, hence, this case is taken up for trial.

Case called out.

plaintiff absent, advocate for plaintiff present.

Defendant absent. Sri.CN, advocate filed vakalath on behalf of defendant and also filed application U/O 9 rule 7 of CPC (IA no.2) seeking to recall exparte order of defedant.

Adv for plaintiff submitted that IA.2 may be allowed on cost.

Heard both sides, in the interest of justice IA no.2 is hereby allowed on cost of Rs.200/-.

Accordingly the defendant is hereby permitted to contest the case.

The advocate for prays time to file W.S. For W.S of defendant.

DW-1 present. Adv for defendant present & filed application U/O 8 Rule 1 of CPC (IA.9) seeking to produce three documents. On the other hand adv for the plaintiff submitted that the IA.9 may be allowed on cost. Heard both sides. In the interest of justice IA.9 is hereby allowed on cost of Rs.200/- each. Accordingly the documents filed by defendant is hereby taken on record subjected to proof and admissibility.

Cmis

Case called out.

Petitioners absent. Adv for petitioner present.

Heard. Hence issue notice to respondent, if steps taken.

Call on: 22.08.2024

PCJ & JMFC, SR Patna

MIS

Case called out.

Petitioner & his adv present.

Hence issue notice to respondents,
if steps taken.

Call on: 09.12.2024

PCJ & JMFC, SR Patna

CC

Case called out.

Accused absent. Heard APP. Hence issue SS to accused.

Call on: 09.09.2024

PCJ & JMFC, SR Patna

PCR (MMDR)

Case called out.

The learned APP absent.
Complainant absent.

For hearing.

Call on: 06.07.2024

PCJ & JMFC, SR Patna

OS

Case called out.

Plaintiff absent. Adv for plaintiff present. Heard arguments perused records. Hence issue summons to defendants, if steps taken.

Call on: 07.12.2024

PCJ & JMFC, SR Patna

PCR

Case called out.

Complainant and his adv absent.

For sworn statement.

Call on: 20.08.2024

PCJ & JMFC, SR Patna

FDP

Case called out.

Petitioners and their adv absent.

Issue notice to respondents.

Call on: 19.09.2024

PCJ & JMFC, SR Patna

Ex

Case called out.

DHR and his adv present.

Issue notice to JDR No.1 to 4

Call on: 05.12.2024

PCJ & JMFC, SR Patna

Cmis

Case called out.

Petitioner No.5 present. Adv for petitioner present.

Petitioner No.5 is examined as pw1. Pw1 filed affidavit in lieu of his examination in chief. Ex. P1 to P10, P2(a), P3(a) marked. Chief examination of Pw1 completed.

Respondent absent. Hence Cross examination of pw1 by the respondent is taken as nil.

Counsel for the petitioner submits that they have no further evidence and prays to close the petitioner side evidence.

Heard arguments of learned counsel for petitioners. Matter posted for orders.

Case called out. Complainant by name Sri. Nagappa is present, APP present. Accused no.1 to 3 present. Advocate for accused present.

Perused records, the alleged offences in the present case are triable by this court and non compoundable in nature.

As per the directions issued by the Hon'ble Supreme Court of India in Suomoto Writ Petition No.4/2021 this case is taken up for plea bargaining.

The advantages of compounding/plea bargaining of the offences are explained to complainant and accused persons and they submitted that they are ready for settlement.

Conciliation held.

Both parties have filed joint memo U/Sec.320(2) of Cr.P.C seeking permission to compound the offence is P/U/S 420 of IPC. The parties herein have compounded the matter.

In view of the application submitted by the parties, Both the parties are hereby permitted to compound the offence punishable under Section 420 of IPC.

Accordingly the application filed under Section 320(2) of Cr.P.C is filed by both the parties are hereby accepted.

Accordingly the matter is compromised.

The property reported under PF No. 19/2021 dated 09-02-2021 that is Sl.No.2 is made absolute to the owner after expiry of appeal period.

The Sl.No.3 and 5 are being worthless and hence it is ordered to be destroyed after expiry of the appeal period.

The Sl.No.4 i.e. cash of **Rs.20,000/-** is already released infavor of the complainant, hence the said cash is mde absolute to the complainant.

The office is hereby directed to issue notice to owner of Sl.No.2 and 6 and put up case file after return of notice. Inview of the above order this case is disposed off.

Petitioner absent. Adv for petitioner present & filed application U/O 26 Rule 13 of CPC (IA.4)

On the other hand respondents absent. Adv for respondents present & submitted that the IA.4 may be allowed on cost. Heard both sides in the interest of justice the IA.4 is hereby allowed on cost of Rs.200/-.

Accordingly the the Taluk surveyor, Srirangapatna is hereby appointed as Court commissioner pertaining to petition schedule A property and he is directed to suggest scheme of partition as per the Judgment and decree passed in OS.No.497/2014 & submit report accordingly.

Rs.3,000/- is fixed as commissioner fee.

The PDO of K.Shettahalli grama panchayat is hereby appointed as Court commissioner pertaining to petition schedule B property and he is directed to suggest scheme of partition as per the Judgment and decree passed in OS.No.497/2014 & submit report accordingly.

Rs.3,000/- is fixed as commissioner fee.

Issue commissioner warrant after depositing commissioner fee.

Await commissioner report.

Plaintiff absent. Adv for plaintiff present & filed application U/o 6 Rule 17 of CPC (IA No.1) seeking to amend the plaint.

Advocate for defendants submitted that the IA no.1 may be allowed on cost

Heard both sides in the interest of justice. The IA no.1 is hereby allowed on cost of Rs.200/- .

Accordingly the plaintiff is permitted to amend the plaint as prayed for. For production of amended plaint and amendment of plaint.

Cmis

Case Called out.

Petitioner absent.

Sri.SSP advocate for the petitioner prays to issue paper publication and sought permission to take paper publication regarding filing of this petition to the general public in the news paper named Hosa digantha and Mandya Mithra along with draft citation.

Counsel for the petitioner is permitted to take out the publication of the citation regarding filing of this petition in the news paper as stated above on or before 18.05.2024.

Office is directed verify the draft citation furnished by the petitioner and issue citation after proper verification.

For production of news paper

Plaintiffs absent. advocate for plaintiff absent.

Defendants absent, advocate for defendants absent.

Perused application U/O U/O 23 rule 1 of CPC, the plaintiffs herein filed the said application seeking permission to withdraw the suit.

On the other hand advocate for defendants absent and they have not filed objections.

It is stated in the affidavit that they need to file fresh suit and hence they are seeking permission to withdraw the suit with liberty to institute fresh suit.

The plaintiff is the dominus-litus and in view of the application made by the plaintiff, the grounds are made out. hence this court proceed to pass the following:

::ORDER::

The suit of the plaintiffs is hereby dismissed as withdrawn with liberty to institute the fresh suit. Accordingly this case is disposed of.

Accused absent. Cw1 to Cw3 absent.

Summons returned unexecuted.

The learned APP present.

Heard APP. Perused records, the complainant herein filed complainant against the accused.

Accordingly FIR was registered in Cr.No.200/98 for the offence P/U/Sec.379 of IPC.

Thereafter the complainant police has filed charge sheet against the accused No.1 to 3 for the alleged offences.

Thereafter this court issued summons to accused persons in Original CC.No.114/2001. The A3 by name Nazeer was splitup and this case was registered against him. Thereafter this court issued NBW to the accused no.3 several times but the same was returned unexecuted.

Thereafter this Court issued proclamation and attachment and the same has been returned unexecuted.

Inspite of issuance of same the accused no.3 couldn't be secured before the court. Thereafter the matter was posted for recording of evidence of prosecution U/S 299 of Cr.P.C.

Prosecution not able to secure the presence of witnesses inspite of

taking opportunity. No grounds made out to adjourn this case.

The matter is pending since 2003.

All the efforts has been made by this court to secure the presence of the accused no.3 as well as prosecution witnesses but they could not be secure before the court.

At this stage it is necessary to exercise the powers conferred u/sec.258 of Cr.P.C to stop the proceedings.

Based on the above observations this court proceed to pass the following:-

::ORDER::

Acting U/Sec.258 of Cr.P.C the proceedings of the above case is hereby stopped.

The stoppage proceedings shall have the effect of discharge of the accused.

Inview of the above order this case is disposed of.

(Affixture)

Plaintiff absent. Adv for plaintiff present.

SS served to D2. Called out. Absent. Service held sufficient. SS of D3 returned unserved.

Adv for plaintiff has filed application U/O 5 Rule 20 of CPC seeking to take substitute service by way of affixture. Heard. In the interest of justice the application is hereby allowed accordingly the plaintiff is hereby permitted to take the substitute service by way of affixture.

The process server is hereby directed to affix the summons of D3 on the main door of the house of D3 and submit the report accordingly.

A1 to A3 present. Adv for accused present. Learned APP present.

No incriminating circumstances appearing against the accused in the evidence led by the prosecution, hence the statement U/Sec.313 of Cr.P.C is hereby dispensed.

Advocate for accused filed application U/Sec.437(A) of Cr.P.C. and offered surety.

Surety by name Chaluvaraju S/o Late Vairamudigowda, Age: 68 years, R/o: Behind Basaveshwara Temple, P.Hosahalli village, Belagola Hobli, SR Patna Taluk is present and offered surety and also produced the RTC bearing Sy.No.1/3 measuring 10 guntas situated at Hosahalli village, Belagola Hobli, SR Patna Tq for secure the presence of the accused. On enquiry satisfied hence the surety is hereby accepted.

Office is hereby directed to take bonds.

Heard arguments of both sides.
Hence posted for Judgment.

Accused pleaded guilty in pursuance of Special Summons issued to him and transmitted fine.

The total amount of Rs. 100 /- through concerned Police.

Hence office is hereby directed to collect the same. In view of the payment of the said amount this case is referred to lok adalath.

(Memo of Calculation)

Both adv present. Heard counsel for both sides. Perused records, the DHR herein filed the petition seeking to execution of decree passed in OS.No.177/2004 for recovery of decreetal amount.

During pendency of the case the JDR has paid part amount. Hence

this Court itself calculating the balance amount as here under

Decree amount – Rs.43,000/- and interest as per Decree from 05.12.2007 to 05.08.2024 for Rs.42,785/-. Hence the total amount of Rs.85,785/-

JDR has paid Rs.55,387/- till date. Hence there is a balance of Rs.30,398/-. Hence the JDR is hereby directed to pay the said balance amount.

For Balance payment.

A1 to A3 present. Adv for accused present.

Cw1 & Cw2 present. Cw1 is examined as PW1 & marked Ex.P1, P1(a) & she is treated as hostile witness and learned APP cross examined PW1 fully with the leave of the Court. The adv for accused submitted no cross.

Cw2 is examined as PW2 & he is treated as hostile witness and learned APP cross examined PW2 fully with the leave of the Court & marked Ex.P3, P3(a) during the cross examination. The adv for accused submitted no cross.

Perused records. Heard both sides. In the present case the PW1 & PW2 are the high witness as well as injured witnesses as well as victims

but they have turned hostile in the case of prosecution. Hence Cw3 to Cw8 are no role in the present case. Hence Cw3 to Cw8 are hereby dropped. Accordingly evidence of prosecution side is hereby closed.

No incriminating circumstances appearing against accused persons in the evidence led by the prosecution. Hence statement U/S 313 is dispensed.

Posted for compliance U/S 437A of Cr.P.C and arguments on merits.

ORDERS ON IA FILED BY PETITIONER UNDER SEC 151 OF CPC

The petitioner has filed application U/S 151 of CPC seeking to revalidate the decree as to present the decree before the office to Sub-registrar for registration.

2. The petitioner has filed the affidavit. It has been stated that this petition is filed seeking for to draw final decree. Final decree has been drawn on the stamp paper. The final decree engrossed on the stamp paper has not been produced before Sub-registrar office for its registration within time. When the same has been produced before the Sub-registrar, the authority has denied to register the same. Hence prays to revalidate the decree by allowing the IA.

3. heard submission. Perused the records.

4. The court has signed the final decree on 10.12.2019. Under these circumstances, as per rules the petitioners ought to have get the same registered within four months. But they have not presented the same before Sub-registrar for registration within time. As this petition was disposed by filing compromise petition and final decree has been drawn, petitioners ought to have get the registered the same in stamp paper. Under these circumstances, in order to avoid multiplicity of proceedings and in order to realize the fruits of the decree, the application filed by petitioners is hereby allowed and decree is revalidated.

Plaintiff absent. Adv for plaintiff present & filed application U/O 22 Rule 4 of CPC (IA.20), U/O 22 Rule 9 of CPC (IA.21), U/S 5 of Limitation Act (IA.22).

Adv for defendant present. Heard both sides. Hence issue notice to proposed D9(a) on IA.20 to IA.22 through RPAD, if steps taken.

Complainant present. Adv for complainant present. Accused present. Advocate for accused present and filed application

U/Sec.70(2) of Cr.P.C to accused.

Heard, in the interest of justice the application is here by allowed on fine of Rs.200/-.

Hence the NBW against accused is hereby recalled.

Both parties have filed joint memo. Perused joint memo and it is mentioned that both parties have compromised the case and the accused herein agreed to pay Rs.1,50,000/- (One Lakh Fifty thousand only) as full and final settlement and complainant herein agreed to receive the same.

On enquiry both parties have agreed as per the terms mentioned in the joint memo.

On enquiry the complainant submitted that he has received Rs.50,000/- from the accused today.

Both adv pray time. For compliance of joint memo.

Accused present. Advocate for accused present and filed application U/Sec.70(2) of Cr.P.C to accused.

Heard, in the interest of justice the application is here by allowed on fine of Rs.300/-.

Hence the NBW against accused is hereby recalled.

Perused records. Heard APP. The IO has filed charge sheet against the accused for the off P/U/S 379 of IPC and Sec 3(1), 42, 44 of KMMC Rules and Sec 4(1)(1A), 21(1), 21(3), 21(4) of MMDR Act. The mines and geology dept have not filed private

complaint in the present case. The police officer cannot file a charge sheet unless it is accompanied with private complainant as per MMRD act under such circumstances the cognizance is taken only for the offence U/S 379 of IPC.

On perusal of records the charge is framed for only the offence U/S 379 of IPC. Hence issue SS to Cw1 to Cw4.

Case advanced & taken on board.

DHR present. Adv for DHR present. JDR absent. Advocate for JDR present.

Adv for DHR has filed not press memo seeking to close the case. It is mentioned in the memo that the case has been settled of Rs.34,000/- (Thirty four thousand only) and prays to close the case.

The adv for JDR has paid Rs.34,000/- (Thirty four thousand only) to the DHR before Court by way of cash.

In view of the joint memo filed by the both parties this case is referred to Lok adalath.

Case advanced & taken on board.

Complainant present. Adv for

complainant present & filed not pressed memo seeking to close the case.

On enquiry the complainant submitted that he has received the cheque amount from the accused & prays to close the case.

In view of the submission made by the complainant and his counsel the B/w issued against the accused is hereby recalled. Office is hereby directed to issue intimation to concerned P.S. for returned of NBW without its execution.

In view of the memo filed by the complainant this case is referred to Lok adalath.

Case called out.

Complainant absent. Adv for complainant absent. Perused records.

The KRS PS has filed B report before the Court. Thereafter this Court issued notice to complainant and the same has been served to complainant & he has appeared through his counsel. Thereafter the matter was posted for enquiry.

On perusal of the ordersheet the complainant is absent before the Court from past several dates of hearing and he failed to proceed with the case. No grounds made out and there is no contra evidence and protest memo against B report. In view of the above observation this Court proceed to pass the following:

:: ORDER ::

The B report submitted by KR Sagara PS is hereby accepted. Accordingly this case is disposed of.

Cmis

Case called out.

Petitioner absent, advocate for Petitioner absent. Steps not taken. Perused records. Petitioner herein filed petition U/S 128 of Cr.P.C for recovery of arrears of maintenance. Thereafter this court issued notice to the respondent & he has appeared before the Court through his counsel. Thereafter this Court issued FLW to respondent but the same has been returned unexecuted. Thereafter the matter was posted for steps.

On perusal of the order sheet it found that, from past several dates of hearing the petitioner is absent and the petitioner failed to appear before the court and failed to take necessary steps to proceed with the case. In spite of taking sufficient time the petitioner has not appeared before the court. The conduct of the petitioner shows that she is not interested to proceed with the case. No grounds made out to adjourn this case. Based on the above observation this court is proceed to pass the following :

ORDER ::

The petition filed by the petitioner is hereby dismissed for not taking steps.

Accordingly this case is disposed of.

24.07.2024

PCJ & JMFC, SR Patna

Both adv present. Heard both sides.
Perused DR report.

As per DR report the deficit stamp duty of Rs.55/- has to be paid on the panchayat palu patti dtd: 14.12.1980 produced by the plaintiff. Hence the plaintiff has to pay the stamp duty and penalty on 10 times on the said document. Hence Rs.605/- has to be paid by the plaintiff on the said document as duty and penalty. Hence plaintiff is hereby directed to pay Rs.605/- as duty and penalty on next date of hearing.

**ORDERS ON IA FILED BY
PLAINTIFF UNDER SEC 151 OF
CPC**

The plaintiff has filed application U/S 151 of CPC seeking to revalidate the decree as to present the decree before the office to Sub-registrar for registration.

2. The plaintiff has filed the affidavit. It is stated that this suit is filed seeking for the relief of partition and separate possession and the said suit was decreed in favour of plaintiff on 12.12.2018 by way of compromise and final decree has been drawn. The final decree engrossed on the stamp paper has not been produced before Sub-registrar office for its registration within time. When the same has been produced before the Sub-registrar, the authority has denied to register the same. Hence prays to revalidate the decree by allowing the IA.

3. heard submission. Perused the records.

4. The court has signed the final decree on 02.11.2021. Under these circumstances, as per rules the petitioners ought to have get the same registered within four months. But they have not presented the same before Sub-registrar for registration within time. As this suit was disposed by filing compromise petition and final decree has been drawn, petitioners ought to have get the registered the same in stamp paper. Under these circumstances, in order to avoid multiplicity of proceedings and in order to realize the fruits of the decree, the application filed by plaintiffs is

hereby allowed and decree is revalidated.

25.07.2024

PCJ & JMFC, SR Patna

A1 to A6 present. Adv for accused present. SS of Cw7 & Cw8 returned unserved. Perused records. The prosecution has taken sufficient time to secure Cw7 & Cw8. No grounds made out. Hence Cw7 & Cw8 are dropped.

Accused No.2 by name Manjunatha S/o Devaraju, 32 years, R/at Mogarahalli manti village is produced through PC 701 of KR Sagara PS before this Court at 01.58 PM.

On enquiry he submitted that he is arrested by the police on 07.08.2024 at 08.30 AM. On

enquiry he submitted that the concerned police have not ill treated him. Adv for A2 absent.

Perused records. The alleged offences P/U/S 307, 504, 114 R/w/S 34 of IPC. The alleged offences are triable by the Hon'ble District & Sessions Court. The accused is secured under the B/w before the Court. Hence it is necessary to take the A2 to judicial custody.

Hence A2 is hereby taken to judicial custody and the PC 701 of KR Sagar PS is hereby directed to lodge the A2 in the JC.

Office is directed to issue intimation accordingly.

For production of A2

Accused no.1 to 3 present, advocate for accused present.

APP present. Perused records.

The PSI of KR Sagara PS has filed charge sheet against A1 to A3 for the offence P/U/S 379 of IPC, Rule 3(1) of KMMC Rules and Sec 4(1) (1A), 21(1)(3)(4) of MMDR act.

As per the MMDR act the court cannot take the cognizance against the offence under the said act unless it is writing in the complaint. In the present case no such complaint is forth coming. Based on the complaint who is police officer the complainant police has registered crime against the accused persons and submitted final report for alleged offences which is not permissible under law. The IO cannot submit the final report including the provisions of sections of MMDR act.

In the case of Sridhar V/s State of

Karnataka the Hon'ble High court of Karnataka pleased to observed that the order of cognizance taken by the Magistrate under the said act is hit by Sec 22 of MMDR act. Hence this Court cannot take the cognizance under the provisions of MMDR act without filing private complaint by the authorized officer. Under such circumstances in the present case the cognizance is taken only for the offence P/U/S 379 of IPC and cognizance is not taken for the other offences.

Adv for accused prays time to compound the offence. Heard both sides. Hence adjourned.

Accused is produced before the Court.

Heard APP. Hence JC of accused is hereby extended till next date.

For production of accused.

(Cognizance taken only for Sec 379 IPC)

Accused present. Advocate for accused present and filed application U/Sec.70(2) of Cr.P.C to accused.

Heard, in the interest of justice the application is here by allowed on fine of Rs.300/-.

Hence the NBW against accused is hereby recalled.

Perused records. Heard APP. The IO

has filed charge sheet against the accused for the off P/U/S 379 of IPC and Sec 3(1), 42, 44 of KMMC Rules and Sec 4(1)(1A), 21(1), 21(3), 21(4) of MMDR Act. The mines and geology dept have not filed private complaint in the present case. The police officer cannot file a charge sheet unless it is accompanied with private complainant as per MMRD act under such circumstances the cognizance is taken only for the offence U/S 379 of IPC.

On perusal of records the charge is framed for only the offence U/S 379 of IPC. Hence issue SS to Cw1 to Cw4.

(Plea guilty MMDR)

Accused No.1 & 2 present. Advocate for accused present and filed application U/Sec.70(2) of Cr.P.C to accused No.1.

Heard, in the interest of justice the application is here by allowed on fine of Rs.200/-.

Hence the NBW against accused No.1 is hereby recalled.

Perused records. Heard APP. The IO has filed charge sheet against the accused for the off P/U/S 3(1) of KMMC Rules and Sec 4(1)(1A), 21(1), 21(3), 21(4) of MMDR Act. The mines and geology dept have not filed private complaint in the present case. The police officer cannot file a charge sheet unless it is accompanied with private complainant as per MMRD act under such circumstances the cognizance is taken only for the offence U/S 379 of IPC.

As per the directions issued by the Hon'ble Supreme Court of India in Suomoto Writ Petition No.4/2021 this case is taken up for plea bargaining.

The advantages of compounding/plea bargaining of the offences are explained to complainant and accused persons and they submitted that they are ready to plead guilty.

Adv for A1 & A2 filed application U/S 252 of Cr.P.C seeking to record the plea of the accused No.1 & 2 and prays to pass necessary orders.

The prosecution papers were already supplied to the accused in compliance of sec. 207 of Cr.P.C.

The substance of accusation is orally stated & read over and explained to the accused No.1 & 2 in the language known to them. The accused No.1 & 2 pleaded guilty and I am satisfied that, the plea of accused No.1 & 2 is voluntary. Hence the plea of the accused No.1 & 2 is hereby accepted.

The adv for accused submitted that the accused persons are poor and they are the only bread earners of the family and prays to impose minimum fine amount. On the other hand the learned APP submitted that this Court is having powers to impose maximum amount and prays to impose the same.

Perused records, in the present case the alleged offence is P/U/S 379 of IPC & the complainant has seized the sand which belongs to the Government.

The said sand has been deposited before the concerned department. Since 2015 the matter is pending.

Moreover A1 & A2 themselves pleaded guilty & prays to impose minimum fine amount. Based on the facts and circumstances of the case this Court is at opinion that the fine amount of Rs.12,000/- is enough to impose the A1 & A2. The said shall amount to be paid to the State exceture. Based on the above observations this Court proceed to pass the following:

ORDER

Acting U/S 252 of Cr.P.C, the accused No.1 & 2 are hereby convicted for the offence Punishable Under Section 379 of IPC.

The accused No.1 & 2 are here by sentenced a fine of Rs.6,000/- each for the offence Punishable Under Section 379 of IPC. In default they shall under go simple imprisonment for a period of 10 days each.

Issue conviction warrant if the fine amount is not paid.

The property released ie., lorry bearing reg.No.KA-54-4347 is made absolute to the owner after the expiry of appeal period.

In view of the above order this case is disposed of.

(Plea guilty 379)

Accused present. Advocate for
accused present. Learned APP
present.

Perused records. Heard APP.

The IO has filed charge sheet against the accused for the off P/U/S 3(1), 42, 44 of KMMC Rules and Sec 4(1)(1A), 21(1), 21(3), 21(4) of MMDR Act & Sec 379 of IPC. The mines and geology dept have not filed private complaint in the present case. The police officer cannot file a charge sheet unless it is accompanied with private complainant as per MMRD act. Moreover the Hon'ble High Court of Karnataka pleased to issued directions in this regard. Under such circumstances the cognizance is taken only for the offence U/S 379 of IPC.

As per the directions issued by the Hon'ble Supreme Court of India in Suomoto Writ Petition No.4/2021 this case is taken up for plea bargaining/compounding.

The advantages of compounding/plea bargaining of the offences are explained to complainant and accused and he submitted that he is ready to plead guilty.

The prosecution papers were already supplied to the accused in compliance of sec. 207 of Cr.P.C.

The substance of accusation is stated & read over and explained to the accused in the language known to him.

The accused pleaded guilty and I am satisfied that, the plea of accused is voluntary. Hence the plea of the accused is hereby accepted.

The adv for accused submitted that the accused is poor and he is the only bread earners of the family and prays to impose minimum fine amount. On the other hand the

learned APP submitted that this Court is having powers to impose maximum amount and prays to impose the same.

Perused records, in the present case the alleged offence is P/U/S 379 of IPC & the complainant has seized the sand which belongs to the Government.

The said sand has been deposited before the concerned department. Since 2015 the matter is pending. Moreover accused himself pleaded guilty & prays to impose minimum fine amount.

Based on the facts and circumstances of the case this Court is at opinion that the fine amount of Rs.5,000/- is enough to impose the accused. The said shall amount to be paid to the State exchequer. Based on the above observations this Court proceed to pass the following:

ORDER

Acting U/S 252 of Cr.P.C, the accused is hereby convicted for the offence Punishable Under Section 379 of IPC.

The accused is here by sentenced a fine of Rs.5,000/- for the offence Punishable Under Section 379 of IPC. In default he shall under go simple imprisonment for a period of 10 days.

Issue conviction warrant if the fine amount is not paid.

The property released under PF.No.178/2014 dtd: 31.12.2014 are made absolute to the owner after the expiry of appeal period.

In view of the above order this case is disposed of.

313 statement recorded read over and explained to the accused No.1 to 3 in the language known to them, they denied same in toto and they have not chosen to lead defence evidence.

Accused No.5 pleaded guilty in pursuance of Special Summons issued to him and transmitted fine. The total amount of Rs.200/- through concerned Police.

The accused persons have pleaded guilty. Hence Property seized under PF.No.45/2023 dtd 09.06.2023 Sl.No.2 is a cash of Rs.43,320/- is ordered to be confiscated to the state and Sl.No.1 & 3 are being worthless as such it is ordered to be destroyed after the completion of the appeal period.

Hence office is hereby directed to collect the same. In view of the payment of the said amount this case is referred to lok adalath.

DHR and JDR absent.

Sale notice issued against JDR returned with an endorsement served. Called out. JDR absent. No representation.

PF paid. Issue sale proclamation.

Spot sale has to be conducted on 26.06.2023. Court sale has to be conducted on 27.07.2023

DHR absent. Adv for DHR present. JDR absent.

Adv for DHR prays to issue proclamation of sale and he has filed process memo. Perused order sheet, the immovable property was attached on 04.03.2024 thereafter the sale notice was issued and the same has been executed by way of affixture on 14.08.2024. In spite of the same the JDR has not appeared before the Court. Hence it is necessary to conduct sale proceedings in order to effective adjudication of this case.

Hence issue proclamation of sale by way of public auction.

Spot sale has to be conducted on 23.10.2024 & Court sale has to be conducted on 23.11.2024.

Office is hereby directed to issue warrant accordingly.

Case called out, accused absent, EP fled, heard and allowed, SS of CW 10 not returned, Call on for await SS of CW 10., R/by

Case called out, accused absent, EP fled, heard and allowed, SS of CW 10 not returned, Call on for await SS of CW 10., R/by

Case called out, both advocate and both parties present, advocate for accused prays time, call on for arguments of accused by R/by

Crime 144/2023

Case called out. Complainant absent. Heard, APP

perused records.

The Arakere PS have filed C report before the Court. Thereafter this Court issued notice to complainant and the same has been returned unserved several times.

In spite of pending of the case the complainant has not appeared before the court.

More over the I.O has filed final C report.

The complainant has not appeared before the Court and the complainant has not chosen to contest the case.

Hence the C report filed by complainant police is hereby accepted for the time being.

Accordingly this case is disposed of.

15.10.2024

PCJ & JMFC, SR Patna

The accused No. 1 to 3 are acquitted.