

14.07.2022

ORDERS ON ISSUE NO.1

Based on pleadings of respective parties, this court framed issues and treated Issue No.1 as preliminary issue in Sayed Ahmed Maktumsha Syed v. The Urban Co-operative Bank Limited, Alnavar, Dharwad District and others, 2000(5) Kar.L.J. Sh. N.36, Hon'ble High Court of Karnataka held that court must pronounce judgment on all issues and it is not open to court to try only a few of issues and dispose of suit unless they are issues of law relating to jurisdiction of Court . Issue of fact requiring adducing of evidence cannot be tried as preliminary issue without recording of evidence. Relying upon these principles, I proceed to pass the following

ORDER

Issue No.1 will be considered along with other issues framed by this court on merits after recording evidence. Call on for plaintiff's evidence by 19.07.2022.

(LATHAKUMARI M)
LXXXV ACC & SJ, BENGALURU.