

prays to Advance the
Case from 30/5/24
to today's board for
the reasons stated
therein Hence for
kind orders.

-110-

EX No. 63/2018

Heard counsel for auction
purchaser.
To hear objector.
Call on: 23-04-2024



22/04/2024

Prl.Sr.Civil Judge and JMFC.,
Bhadravathi.

23/04/24

Dhr - VV

Dr 199 - VV

Objector - TIC

Auction purchaser - M

To hear objector,

Objector filed objections to
IA.

Heard counsels for both
the parties.

Auction purchaser filed
written arguments along with
documents.

Objector filed memo with
copy of case status in
W.P.No.12414/2024

Heard. Perused the records.

: ORDER :

Auction purchaser filed this application under Section
151 of CPC., praying to recall order dated 19/04/2024 passed
by this court.



Admittedly, this court by passing said order dated 19/04/2024, stayed the operation order of order dated 18/04/2024 passed by this own court, till next date of hearing.

As per said order dated 18/04/2024 this court had issued delivery warrant infavourof DHR. The order dated 19/04/2024, is a limited order staying the operation of order dated 18/04/2024, till next date.

The auction purchaser filed this application contending that there is no provision to stay the operation of order of this own court; and there are no grounds to stay the order dated 18/04/2024.

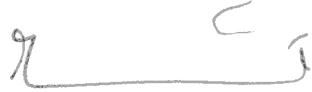
At this stage, it is necessary to mention herein that there is no dispute that there is a active collusion between the Objector and the JDR. The Objector and the JDR have filed one application after the other, with malafide intentions, in order to delay the execution of decree. Further, they have not shown any respect and complied the interim orders passed by the hon'ble High Court of Karnataka in various cases. The conduct of JDR and Objector before the court is in clear abuse of process of law.

However, this court stayed order dated 18/04/2024 considering the fact that the Objector is a pardanashin lady, a widow and a senior citizen. Moreover, the said order dated 18/04/2024 is a executable order; and the objector is claiming right over immovable property. The Objector should not be punished for lack of proper legal advice. The said order dated 19/04/2024 is limited order and no hardship and injury is going to cause to Auction Purchaser. As such, when there is no injury is going to cause to DHR by the order dated



19/04/2024, the question of recalling the same does not arise.
Accordingly application is hereby rejected.

Call on 30/05/2024.


Prl.Sr.Civil Judge & JMFC.,
Bhadravathi.