

ORDER

The Petitioner herein has come up with this Petition seeking permission to withdraw the memo filed by him in Original Suit to withdraw his case.

On perusal of case papers, it indicates that the Plaintiff herein has come up with four similar kind of applications. The case papers further reveals that some sort of compromise was entered into between the Plaintiff and the Defendant and later the same was questioned before the Court in a suit as illegal, null and void. However, later the said Suit came to be withdrawn. The Learned Counsel claimed that they were deceived by the Defendants by not adhering to the terms of compromise.

On perusal of records, it indicates that the very maintainability of the suit challenging the compromise has to be ascertained before entertaining any interim application. Hence, I am of the opinion that absolutely, no case is made out by the Petitioner to grant ex-parte interim order. Hence, issue emergent notice on IA and suit summons to the Defendants by: 27.5.2022.

[K.M. Rajashekhar],
XXVIII. Addl. City Civil Judge,
Mayo hall, Bangalore.