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C.A.No. 5226-5227 OF 2000

ITEM No.108

Court No. 8

SECTION IVA

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal No.5226-5227/2000

STATE OF KARNATAKA AND ORS.

Appellant (s)

VERSUS

B.R. AMBEDKAR DALITHA & H.A.S.G. SANGHA & ORS.
(With office report)

Respondent (s)

With C.A. Nos.5243-5244/2000 (S.IVA)

Date : 02/09/2003 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.N. VARIAVA
HON'BLE MR. JUSTICE H.K. SEMA

For Appellant (s)Mr. Sanjay R. Hegde, Adv.

For Respondent (s)Ms. Kiran Suri, Adv.

Mr. Gireesh Kumar, Adv.

Mr. Ankur S. Kulkarni, Adv.

Mr. Vijay Kumar, Adv.

UPON hearing counsel the Court made the following

O R D E R

In these appeals, in the impugned judgment it has been mentioned that there has been encroachments on Government land by 5th Respondent. The affidavit filed before the High Court seems to suggest that the 5th Respondent had been evicted. But the same affidavit states that Poojas and feeding of devotees is going on under the control and supervision of concerned Revenue Officer. If the 5th Respondent has supposedly been evicted then we fail to understand how Pooja and feeding of devotees is going on. If he has been vacated, then the unauthorised constructions put up by 5th respondent should have been demolished.

We adjourn this matter to 10th November, 2003 to enable the Government to show to us that there has been complete eviction of the 5th Respondent from Government lands. The Government to bring to Court photos showing the constructions put up by the 5th Respondent before they are demolished and photos showing that these constructions have been fully demolished. Permission is granted to all the parties to file additional documents, if any. To be treated as part-heard.

(K.K. Chawla)(Gyan Bhatia)

Court MasterCourt Master