

ITEM NO.11

COURT NO.6

SECTION IVA

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil)...../2012

(CC 5476/2012)

(From the judgement and order dated 30/08/2011 in RSA No.743/2005  
of The HIGH COURT OF KARNATAKA AT BANGALORE)

KARIKOLI NINGEGPWDA (D) TR.LRS.

Petitioner(s)

VERSUS

JAVAREGOWDA (D) BY LRS.&amp; ORS.

Respondent(s)

With I.A.1 (C/delay in filing SLP and c/delay in refiling SLP and  
office report)

Date: 04/04/2012 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI

HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA

For Petitioner(s)

Mr.Anil Katarki, Adv.

Ms. E.R. Sumathy, A.O.R.(Not Present)

For Respondent(s)

UPON hearing counsel the Court made the following  
O R D E R

Delay condoned.

One of the points which would require consideration is whether the lower appellate Court was justified in granting a decree for specific performance of the agreement for sale dated 03.03.1982 despite the fact that respondent No.1 had not complied with the condition enshrined therein in terms of which he was required to pay Rs.10,000/- to the mortgagee.

Leave granted.

Issue notice on the appellants' prayer for interim relief, returnable in August, 2012. Dasti, in addition, is

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permitted.

In the meanwhile, operation of the judgments of the lower appellate Court and the High Court shall remain stayed.

(Satish K.Yadav)  
Court Master

(Phoolan Wati Arora)  
Court Master