

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.3624 of 1999

K. ANANTHA ADIGA APPELLANT(S)

VERSUS

MANJUNATH ADIGA & ORS. RESPONDENT (S)
(With office report)

Date : 27/07/2004 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SHIVARAJ V. PATIL
HON'BLE MR. JUSTICE B.N. SRIKRISHNA

For Petitioner (s)Mr. S.S. Javali, Sr.Adv.
Mr. R.S. Hegde, Adv.
Mr. Chandra Prakash, Adv.
Ms. Savithri Pandey, Adv.
Mr. P. Devesh, Adv.
for P.P. Singh, Adv.

For Respondent (s)Mr. S.K. Kulkarni, Adv.
Mr. M. Gireesh Kumar, Adv.
Mr. Ankur S. Kulkarni, Adv.
for Mr. Sangeeta Kumar, Adv.

Mr. S.N. Bhat, Adv.
Mr. N. Ganpathy, Adv.

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

Mr. S.S. Javali, learned Senior counsel for the appellant started his arguments at 3.30 p.m. and had not concluded till 4.00 p.m. when the Court rose for the day. The matter remained part-heard.

Sarita (Shelly Sengupta)
Court Master

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ITEM No.101 Court No. 6 SECTION IVA

Date : 28/07/2004 This appeal was called on for hearing today.

CORAM & APPEARANCE : AS ABOVE.

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UPON hearing counsel the Court made the following

O R D E R

Mr. S.S. Javali, learned Senior counsel for the appellant resumed his arguments at 11.10 a.m. and concluded at 11.40 a.m. Thereafter, Mr. S.K. Kulkarni, learned counsel for the respondent made his submissions for 5 minutes. The appeal is dismissed with no costs in terms of the signed order.

Sarita (Shelly Sengupta)
Court Master

C.A.No. 3624 OF 1999
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 3624 OF 1999

K. ANANTHA ADIGA ... APPELLANT
VERSUS

MANJUNATH ADIGA & ORS. ... RESPONDENTS

O R D E R

Having heard learned counsel for the parties on either side, we are satisfied that the impugned order does not call for any interference having regard to the findings recorded by the Authorities, as affirmed by the High Court in the impugned order, particularly, taking note of the fact that the appellant has right to file a suit for appropriate remedies. It is open to the appellant to raise all the contentions that are available under law in the comprehensive suit that may be filed, if so desired. Such a suit could be filed ..2/-

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within one year from today. We make it clear that in case the suit is filed, the competent court will decide that suit on its own merits, uninfluenced by the observations made by the Authorities as well as by the High Court. The appeal is dismissed. No costs.

.....J.
[SHIVARAJ V. PATIL]

.....J.
New Delhi, [B.N. SRIKRISHNA]
July 28, 2004.

(Signed order is placed on the file)