

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

Petitions for Special Leave to Appeal (Civil) Nos.6016-6018/2009  
(From the judgment and order dated 01/12/2008 in RP No.268/2008 in RFA  
No.1135/2007, RP No.269/2008 in RFA No.1137/2007 and RP No.270/2008 in RFA  
No.1129/2007 of The HIGH COURT OF KARNATAKA AT BANGALORE)

KANTHAMMA ETC. Petitioner(s)  
VERSUS  
PYARI KUMARI ETC. Respondent(s)  
(With appln(s) for directions)

Date: 20/03/2013 These Petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR  
HON'BLE MR JUSTICE PINAKI CHANDRA GHOSE

For Petitioner(s) Mr. T.S. Doabia, Sr. Adv.  
Mr. Sarvesh Bisaria, Adv.  
Mr. Prakash Chandra Sharma, Adv.  
Ms. E.R. Sumathy, Adv.

For Respondent(s) Mr. P.S. Patwalia, Sr. Adv.  
Mr. Gajendra Maheshwari, Adv.  
Mr. Rajat Bose, Adv.  
Mr. Sarad Kumar Singhania, Adv.

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

We have learned Senior Counsel for the parties at length.  
Since the present special leave petitions are challenging  
only the order passed in review petitions dated 1st December,  
2008 without challenging the main order dated 2nd April, 2008,  
the special leave petitions would not be maintainable. We,  
therefore, decline to interfere with the order passed by the  
High Court. The special leave petitions are dismissed  
accordingly.

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It is brought to our notice by Mr. T.S. Doabia, learned  
Senior Counsel appearing for the petitioners, that the  
respondents have filed execution proceedings on the basis of the  
decrees passed in their favour. He submits that in view of the  
judgment of this Court in Vidya Sagar versus Sudesh Kumari and  
Others (AIR 1975 SC 2295), the decrees would not be executable.  
We are not inclined to consider the aforesaid submission in  
these proceedings. The petitioners would be at liberty to raise  
any objection before the Executing Court, if permissible in law.

| (VINOD LAKHINA)  
| COURT MASTER

| | (INDU BALA KAPUR)  
| | COURT MASTER

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