

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

CIVIL APPEAL NO. 6963 OF 2004

M. CHANNAPPA (DEAD) THROUGH LRS.

Appellant (s)

VERSUS

P.V. LINGAIAH & ORS.

Respondent(s)

(With appln. for leave to place on record the subsequent developments and exemption from filing O.T. and prayer for interim relief and office report )  
(For final disposal)

Date: 11/08/2009 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE D.K. JAIN  
HON'BLE MR. JUSTICE H.L. DATTU

For Appellant(s) Mr.Basava Prabhu S. Patil, Sr.Adv.  
Mr.B. Subramanya Prasad, Adv.  
Mr.Ajay Kumar M., Adv.  
Mr. V.N. Raghupathy, Adv.

For Respondent(s) Ms. Abha Jain, Adv.

For rr.No.1 Mr.M.N. Krishnamani, Sr.Adv.  
Mrs. S. Usha Reddy ,Adv

for rr.2 & 3 Mr.A.K. Ganguli, Sr. Adv.  
Mr.Harish S.R. Hebbar, Adv.  
Ms.S. Usha Reddy, Adv.

UPON hearing counsel the Court made the following

ORDER

On 29th April, 2009, we had passed the following order:

"It is stated by Mr. Rajesh Mahale, learned counsel that his client, respondent No.1 has asked him to withdraw from the case. It is stated by Mr. Basava Prabhu S. Patil, learned senior counsel for the appellant that this Court's order dated 01.04.2009 has not been complied with.

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Issue notice to the respondents to show cause as to why action for contempt shall not be taken against them for not complying with and acting in violation of this Court's order dated 01.04.2009. The matter shall be listed on 11.08.2009 before an appropriate Bench and respondent Nos.1,2 and 3 shall remain personally present. Our order dated 01.04.2009 shall be effectuated by the Registrar General of the Karnataka High Court with the assistance

of the Police officials. The Registrar General of the High Court shall submit report of compliance within six weeks."

It is manifest from the afore-extracted order that the Registrar General of the Karnataka High Court was required to give effect to our order dated 01.04.2009 with the assistance of Police Officials and submit a report of compliance to this Court within six weeks thereafter. We note with regret that the Registrar General has failed to submit any report in this behalf. Without commenting on his conduct at this stage, we direct the Registrar General of the Karnataka High Court to be present in Court in person on the next date and submit a report in terms of our order dated 29th April, 2009. Let there be no default this time.

Pursuant to our order dated 29th April, 2009, respondent No.1, 2 and 3 are personally present in Court. They have been identified by their counsel. We direct the said respondents to file their respective affidavits within two weeks from today

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explaining their stand in regard to the possession of the subject premises. They shall remain personally present in Court on the next date as well.

List on 1st September, 2009. The office shall communicate this order to the Registrar General, Karnataka High Court forthwith for compliance.

[ Usha Bhardwaj ]  
Court Master

[ Pushaplata Bhardwaj ]  
Court Master