

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

I.A.No.5

in

WRIT PETITION (CIVIL) NO.323 OF 2003

GURURAJ RAYAKAR & ANR. ... APPELLANT(S)

VERSUS

STATE OF KARNATAKA & ANR. ... RESPONDENT(S)

WITH I.A.NO.3 IN W.P.(C)NO.370/2007

O R D E R

We have heard Mr.Naveen R.Nath, learned counsel for the applicants and Mr.Sanjay R.Hegde, learned counsel for the respondent-State of Karnataka.

These are applications for modification/clarification of the order passed by this Court on 06.05.2010, in terms of order passed in Writ Petition (C)No.577/2004 on 31.03.2010.

Learned counsel for the applicants submitted that the applicants' Writ Petition has wrongly been disposed of in terms of the order dated 31.03.2010 passed in Writ Petition (C)No.577/2004, whereas it should have been disposed of in terms of the order dated 29.07.2009 passed in Writ Petition (C)No.232/1999. Learned counsel appearing for the respondent-State of Karnataka has opposed the prayer on the ground that the applicants are virtually seeking review of the earlier order and, therefore, it should not be entertained.

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However, in order to do complete justice between the parties, we would not like to go into the technicalities, raised by learned counsel for the respondent. We are of the considered opinion that the applicants' case would be squarely covered by the final directions passed by this Court on 29.07.2009 in W.P.(C)No.232 of 1999 which reads thus :

"In the result, the writ petition is disposed of with a direction to consider the claim of the petitioner having regard to the principle laid down by this Court in Civil Appeal No.3132/2007 reported in

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

We have heard Mr.Naveen R.Nath, learned counsel for the applicants and Mr.Sanjay R.Hegde, learned counsel for the respondent-State of Karnataka.

The applications are disposed of, in terms of the signed order.

(G.V.Ramana)
Court Master

(Neeru Bala Vij)
Court Master

(signed order is placed on the file)