

ITEM NO.1 Court No.7 SECTION IVA

SUPR EME COUR T OF I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil)...../2009
CC 8695/2009

(From the judgement and order dated 29/03/2007 in RSA No. 545/2001 of
The HIGH COURT OF KARNATAKA AT BANGALORE)

N.M.HIRAVE @ DHANAGAR(D) BY LRS.& ANR. Petitioner(s)

VERSUS

BEERA MAYAPPA HIRAVE @ DHANAGAR Respondent(s)

(for substitution,permission to file SLP,c/delay in filing substitution appln.
and office report)

Date: 16/07/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.V. RAVEENDRAN
HON'BLE MR. JUSTICE B. SUDERSHAN REDDY

For Petitioner(s)

Mr. S.N. Bhat,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
ORDER

Learned counsel for the petitioner states that the first
respondent before the High Court had died on 22.05.2006 and the
appellant who was his brother though aware of the death of first
respondent did not bring the LRs of the deceased on record and
therefore the judgment of the High Court is not valid. The
appropriate course for the LRs. of the petitioner is to make an

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application before the High Court bringing to its notice the fact
that the first respondent had died before the appeal was disposed
of by the

High Court and request the High Court to recall the judgment and

hear the matter. We are sure if such a request is made the High

Court will deal with the same in accordance with law. The

petitioner can also seek appropriate interim relief before the High

Court. In the circumstances, reserving such a liberty the

permission to file SLP is declined and the special leave petition is dismissed.

(Pawan Kumar)

(M.S. Negi)

Court Master

Court Master