

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

I.A.NO.1 IN &
Petition(s) for Special Leave to Appeal (Civil)...../2008
CC 14293/2008

(From the judgement and order dated 31/10/2007 in RSA No. 770/1999
of The HIGH COURT OF KARNATAKA AT BANGALORE)

SHANTHAMMA & ORS.

Petitioner(s)

VERSUS

K.BASAPPA(D) BY LRS.& ORS.

Respondent(s)

(for permission to file SLP and with prayer for interim relief
and office report)

Date: 20/04/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ALTAMAS KABIR

HON'BLE MR. JUSTICE CYRIAC JOSEPH

For Petitioner(s)

Mr. Balaji Srinivasan, Adv.
Mrs. Madhusmita Bora, Adv.

For Respondent(s)

Mr. Sharan Thakur, Adv.
Dr. Sushil Balwada, Adv.
Mr. Ramesh Babu M.R.,Adv.

UPON hearing counsel the Court made the following
ORDER

Permission to file SLP is granted.

Delay condoned.

This order is being passed on I.A.2 of 2008 filed

in SLP(C).....CC.14293 of 2008.

SLP...CC 14293/08 -2-

It appears that when the Regular Second Appeal
No.770 of 1999 was pending before the Karnataka High
Court, the respondent No.2 therein, M.C. Swamy, who has
been shown as the petitioner No.2 in the special leave
petition, had expired on 14th March, 2001. When the
present special leave petition was filed, although, M.C.
Swamy was shown as a petitioner, his son, Dr. B.S.
Nijalingaswamy, who was not a party to the proceeding, was
shown as petitioner No.2.

I.A. 2 has now been filed to correct the anamoly
and to bring on record Dr. B.S. Nijalingaswamy, the son of
the deceased M.C. Swamy, as the petitioner No.2 in place of
M.C. Swamy, deceased.

Having heard learned counsel for the
petitioners, the same is allowed. Let the name of M.C.
Swamy be expugned and let the name of Dr. B.S.

Nijalingaswamy be brought on record as the petitioner No.2
in the special leave petition.

Let such correction be effected in the cause title
of the special leave petition.

Let the matter be listed on Monday week
(04/05/2009) as a 'fresh matter'.

(Sheetal Dhingra)
Court Master

(Juginder Kaur)
Court Master