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SLP(C)No. 19468 OF 2003
ITEM No.52

Court No. 3

SECTION IVA

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

Petition(s) for Special Leave to Appeal (Civil) No.19468/2003

(From the judgement and order dated 15/07/2003 in HRRP 210/2000
of The HIGH COURT OF KARNATAKA AT BANGALORE)

E. PARASHURAMAN (D) BY LRS.

Petitioner (s)

VERSUS

V. DORAISWAMY (D) BY LR.
(With prayer for interim relief)

Respondent (s)

With
SLP(C)No.19473/2003 (With prayer for interim relief)

Date : 05/04/2004 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.C. LAHOTI
HON'BLE MR. JUSTICE ASHOK BHAN

For Petitioner (s)Mr. R.S. Hegde, Adv.

Mr. Chandra Prakash, Adv.

Ms. Savithri Pandey, Adv.

Mr. P. Devesh, Adv.

Mr. P.P. Singh,Adv.

Ms. Kiran Suri, Adv.

For Respondent (s)Mr. Basava Prabhu S. Patil, Adv.

Mr. Shivaprabhu S. Hiremath, Adv.

Mr. B. Subrahmanya Prasad, Adv.

Mr. Jogy Scaria, Adv.

Mr. A.S. Bhasme,Adv.

UPON hearing counsel the Court made the following

O R D E R

One of the contentions raised by the learned counsel for the petitioners is that the suit property is owned by the Municipal Corporation and, if that be so, then inspite of the jural relationship of tenant and landlord existing between the parties, the suit would not have been maintainable. He relies on Clause (b) of Sub-section (7) of Section 2 of the Karnataka Rent Control Act, 1961 and clause (a) (i) of Sub-Section (3) of section 2 of the Karnataka Rent Act, 1999

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Counsel for the respondent present on caveat proposes to oppose the admission of the SLP. For the present, let him file a brief counter stating his case about the ownership of the property annexed by the documents relevant to the issue. Let it be done within two weeks. Rejoinder affidavit, if any, be filed in three weeks thereafter.

List for hearing on the question of admission soon thereafter.

Status quo as to possession be maintained until further orders.

(Ajay Kr. Jain)

(Radha R. Bhatia)

Court Master

Court Master