

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(s).4468/2010
(From the judgement and order dated 01/07/2009 in MCP No. 101/2009
and RFA No. 358/1998 of The HIGH COURT OF KARNATAKA AT BANGALORE)

M.S.VIJAY KUMAR

Petitioner(s)

VERSUS

ROHINI & ORS.

Respondent(s)

(With appln(s) for stay and modification of Court's Order and with
prayer for interim relief and office report)

Date: 20/09/2010

This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI

HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s)

Mr.H.S.Jois, Sr.Adv.

Ms. K.V.Bharathi Upadhyaya,Adv.

For Respondent(s)

Mr.C.B.Gururaj, Adv.

Mr. Debasis Misra,Adv.

Mr. Aftab Ali Khan,Adv.

Mr.Mehtab Ahmed, Adv.

UPON hearing counsel the Court made the following

O R D E R

I.A.No.5 is allowed.

This petition is directed against orders dated
21.11.2008 and 1.7.2009 passed by the Division Bench of the
Karnataka High Court in R.F.A. No. 358/1998 and
M.C.P.No.101/2009 respectively.

We have heard learned counsel for the parties and
perused the record.

Since the petitioner consistently defaulted in
prosecuting the appeal, we do not think that the High Court
committed any error by refusing to restore the appeal.

The special leave petition is accordingly dismissed.

(Satish K.Yadav)

Court Master

(Phoolan Wati Arora)

Court Master