

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).22739-22740/2008

(From the judgement and order dated 15/07/2008 in RSA No. 131/2008 & RSA No. 132/2008 of The HIGH COURT OF KARNATAKA AT BANGALORE)

RAMACHANDRA & ORS.

Petitioner(s)

VERSUS

SHIVARAM & ORS.

Respondent(s)

(With appln(s) for exemption from filing O.T. and prayer for interim relief and office report)

Date: 22/09/2008 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.V. RAVEENDRAN
HON'BLE MR. JUSTICE LOKESHWAR SINGH PANTA

For Petitioner(s) Mr. K.V. Vishwanathan, Adv.
Ms. Mahalakshmi Pavani, Adv.
Mr. G. Balaji, Adv.
for M/S.Mahalakshmi Balaji & Co., Adv.

For Respondent(s) Mr. S.P. Kamat, Adv.
Mr. Devadatt Kamat, Adv.
Mr. Rauf Rahim, Adv.
Mr. N.S. Bhatt, Adv.

UPON hearing counsel the Court made the following
ORDER

Leave granted.

The petitioners (temple and the trustees) have sought stay of the judgment of the High Court dated 15.7.2008 in which the order of the first appellate Court has stood merged.

We have heard the learned counsel for the petitioners and the learned counsel for the caveators-respondents. We are of the view that interest of justice would be served if purely as a temporary arrangement pending disposal of the

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ITEM NO.32 COURT NO.10 DATED 22.9.2008contd.

appeal, the respondents are permitted to have the emoluments which is recognised and granted by the first appellate Court (affirmed by High Court) but only through the temple management and not directly. Any dakshina in the form of tastik, phalavali, padiakki and panchakajjaya, which the first appellate Court has recognised to be the emoluments of the respondents shall be received only through the temple management.

The Archaks appointed by the trustees, if they are in service,

shall work under the respondents and their emoluments will be paid by the temple.

Counter affidavits to be filed in eight weeks and rejoinder to be filed in four weeks thereafter.

(Ravi P. Verma)
Court Master

(Anand Singh)
Court Master