

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil) No(s).2 1 4 7 7 / 2 0 0 6

(From the judgement and order dated 1 3 / 1 0 / 2 0 0 6 in R F A No. 6 5 3 / 2 0 0  
4 of  
The HIGH COUR T OF KA R N A T A K A AT BA N G A L O R E )

D.B. GANGA D H A R A P P A

Petitioner(s)

VER SUS

D.R. MAN J U L A VIS H W A N A T H & AN R.

Respondent(s)

(With appln(s) for directions,per mi s sion to file additional documents and prayer  
for interim relief )

Date: 1 1 / 0 9 / 2 0 0 8 This Petition was called on for hearing today.

CORA M :

HON' B L E Dr. JUS T I C E ARI J I T PA S A Y A T  
HON' B L E MR. JUS T I C E J.M. PA NC H A L

For Petitioner(s)

Mr. P. R . Ra m a s e s h,Adv.

For Respondent(s)

Mr. Rajesh Mahale,Adv.  
Mr. Devendra Kr. Singh, Adv.

Mr.Na resh K au shi k, Adv.

Mr. MY. K h a n , Adv.

Mrs Lalita Kau s hi k ,Adv

UPON hearing counsel the Court made the following  
OR D E R

Having heard learned counsel for the parties, we are not  
inclined to interfere in the matter in view of the following  
observation made by the the High Court:-

-2-

"Under these circumstances, the trial court was  
right in allowing the final decree proceedings to draw  
final decree in accordance with the decree and  
judgment in O.S. 25/8 0. It has given necessa ry  
direction to the Tahsildar of Tarikere and Arasi kere  
to effect partition and separate possession of landed  
properties situated both the places so as to put. Smt.  
Manjula Vishwan ath in separate possession of her  
1/ 3 rd  
share in the 'A' schedule properties. He has  
rightly observed that if any amounts are paid in  
pursuance of interim orders in the appeal proceedings  
by the defendants to the plaintiffs the same could be  
taken into consideration at the time of an enquiry with  
regard to mesne profits and drawing up of final decree.  
Therefore, I do not interfere with the impugned order.  
Accordingly, the appeal is dismissed."

The special leave petition is dismissed accordingly.

(Shashi Sareen)  
Court Master

(Shashi Bal a Vij)  
Court Master

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