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ITEM NO.6

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

I.A. NOS. 2,3,4,5 & 6 in Petition(s) for Special Leave to Appeal
(C) No. 11407/2011

(Arising out of impugned final judgment and order dated 25/02/2011
in RFA No. 966/2003 passed by the High Court of Karnataka Circuit
Bench at Dharwad)

SAHABJAN KILLEDAR

Petitioner(s)

VERSUS

RUDRAWWA @ GADIGEWVA

Respondent(s)

(For setting aside the abatement and permission to bring on record
the LRs. of deceased sole respondent and c/delay in filing bringing
on record the LRs. of deceased respondent and c/delay in filing
setting aside abatement and exemption from filing official
translation of Annexures P-5 and office report)

Date : 15/11/2016 These applications were called on for hearing
today.

CORAM :

HON'BLE MR. JUSTICE JAGDISH SINGH KHEHAR

HON'BLE MR. JUSTICE ARUN MISHRA

For Petitioner(s) Mr. Sharanagouda Patil, Adv.

Mr. Ashok Kumar Gupta Ii, Adv.

For Respondent(s) Mr. P. R. Ramasesh, Adv.

Mr. Abdul Azeem Kalebudde, Adv.

UPON hearing the counsel the Court made the following

O R D E R

For the reasons depicted in I.A.4/2016, application for
condonation of 559 days' delay is allowed, in terms of the prayer
made.

I.A. No.2/2016 for setting aside abatement is also
allowed, on account of the fact, that the petitioner has since
filed an application for impleading the legal representatives of
the deceased respondent.

I.A.3/2016 is allowed, subject to all just exceptions.

The legal representatives of deceased respondent depicted in

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paragraph 3 of I.A.3/2016, are ordered to be impleaded as party
respondents, subject to all just exceptions.

Amended memo of parties be filed within two weeks from
today.

Mr. P.R. Ramasesh, learned counsel representing erstwhile
respondent states, that he has been instructed to represent the
legal representatives the deceased respondent as well.

He undertakes to file Power of Attorney as also counter
affidavit on behalf of all the legal representatives within four
weeks from today.

List for hearing after the completion of pleadings.

(SWETA DHYANI)

(RENUKA SADANA)

SR.P.A

ASSISTANT REGISTRAR