

(2024) 10 KAR CK 0021

Karnataka High Court At Bengaluru

Case No: Writ Petition No. 18621 Of 2024 (GM-CPC)

M N Srinivasa

APPELLANT

Vs

Siddaraju, S/O Late Siddegowda
And Others

RESPONDENT

Date of Decision: Oct. 16, 2024

Acts Referred:

- Code Of Civil Procedure, 1908 - Order 43 Rule 1(r)

Hon'ble Judges: Krishna S Dixit, J

Bench: Single Bench

Advocate: Bhadrinath R, Bhushani Kumar

Final Decision: Dismissed

Judgement

Krishna S Dixit, J

1. This petition seeks to lay a challenge to the concurrent orders passed on plaintiffs' applications. Therefore, learned trial Judge rejected the application and against that, appeal was preferred under Order XLIII Rule 1(r) of the Code of Civil Procedure, 1908 and that also met the same fate.

Ordinarily, in concurrent orders of the kind, a very limited supervisory jurisdiction vested u/a 227 of the Constitution is not invocable, unless an extraordinary case is made out which is not so made out in this case.

2. However, any other peripheral remedy is required such as the leave for plastering of structure, etc., it is open to the petitioner to make an appropriate application to the court below and the same shall be considered expeditiously without being much influenced by the impugned orders and subject to reasonable conditions.

In view of the above, the Petition is rejected

All pending applications pale into insignificance.