

V Krishne Urs vs Rajiv B Urs

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Court : Karnataka

Decided On : Apr-25-2024

Judge : S.R.Krishna Kumar

Appeal No. : WP/12305/2024

Appellant : V Krishne Urs

Respondent : Rajiv B Urs

Judgement :

-1-

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF APRIL, 2024 BEFORE THE HON'BLE
MR JUSTICE S.R.KRISHNA KUMAR WRIT PETITION NO. 12305 OF
2024 (GM-CPC) BETWEEN:

1. V KRISHNE URS AGED ABOUT 65 YEARS, S/O LATE K.M. VEERAJE URS,
2. SMT. NANJAMMANI, AGED ABOUT 64 YEARS, D/O LATE M.V. SUBRAMANYA RAJE URS,

3. M.S. KRISHNARAJE URS AGED ABOUT 39 YEARS, S/O LATE M.V. SUBRAMANYA RAJE URS,

4. MALLARAJE URS S M AGED ABOUT 60 YEARS, S/O LATE MALLARAJE URS,

5. SMT. SUMA, AGED ABOUT 53 YEARS, W/O LATE VEERARAJE URS, Digitally signed by LEELAVATHI S R

Location: HIGH 6. SUDEEP URS, COURT OF

ALL ARE RESIDING AT MALLINATHAPURA VILLAGE, BOPPEGOWDANAPURA HOBLI, MALAVALLI TALUK, MANDYA DISTRICT - 571 463 PETITIONERS (BY SRI. ANIL KUMAR R.,ADVOCATE) -2- AND:

1. RAJIV B URS S/O LATE .M.B. RAMESH AGED ABOUT 42 YEARS,

2. SMT. RANJEETHA B URS D/O LATE M.B. RAMESH ALIAS M B BASAVARAJE URS, AGED ABOUT 41 YEARS,

3. SUJAY B URS S/O LATE M.B. RAMESH, AGED ABOUT 39 YEARS

4. SANJAY B URS, S/O LATE M.B. RAMESH AGED ABOUT 37 YEARS,

5. SMT. ASHWINI URS, D/O S/O LATE M.B. RAMESH ALIAS M.B. BASAVARAJE URS AGED ABOUT 32 YEARS

6. M.B. RATNA AGED ABOUT 60 YEARS S/O LATE BASAVARAJE URS ALL ARE R/AT DOOR NO. 2852, 7TH MAIN, 11TH CROSS, ADIPAMPA ROAD, V.V. MOHALLA, MYSURU - 570001. RESPONDENTS (BY SRI.ABHINAV.R. .,ADVOCATE) THIS W.P. IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE ORDER DTD. 18.03.2024 PASSED BY THE HONBLE IX ADDL CIVIL JUDGE AND JMFC, MYSURU IN OS NO.

ORDER OF TEMPORARY INJUNCTION AS PRAYED FOR IN THE

APPLICATION FILED BY THE PETITIONERS UNDER ORDER XXXIX RULES 1 AND 2 OF CPC BEARING IA NO. 1 DTD. 05.03.2024 BEFORE THE HONBLE SENIOR CIVIL JUDGE AND JMFC, KUNIGAL IN O.S.NO. 579/2024 VIDE ANNEX-C. -3- THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, THE COURT MADE THE FOLLOWING:

ORDER

Learned counsel for the petitioners submits that the suit is posted before the trial court on 01.06.2024 and therefore, the trial court may be directed to dispose of I.A.1 filed for temporary

injunction within a period of 30 days as contemplated under Order

39 Rule 3A CPC and in the light of the judgment of this Court in N.A.Haris vs. Sri.Rajiv Hegde & others -(2014) 4 KCCR 3162.

2. The said submission is placed on record.

3. Accordingly, the petition is disposed of by directing the trial court to dispose of I.A.1 within a period of 30 days from 01.06.2024. Sd/- JUDGE Srl.

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