

Alamengada Muddappa and ors. Vs. Alamengada Kuttappa and ors.

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Court : Karnataka

Decided On : Jun-11-2010

Judge : A.N. Venugopala Gowda, J.

Acts : Code of Civil Procedure (CPC) - Sections 11 and 47 - Order 14, Rule 2 and 2(2) - Order 20, Rule 5 - Order 51, Rule 23 and 23A

Appeal No. : Miscellaneous Second Appeal No. 184/2007

Appellant : Alamengada Muddappa and ors.

Respondent : Alamengada Kuttappa and ors.

Advocate for Def. : S.G. Bhagavan, Adv. for R-2

Advocate for Pet/Ap. : G. Balakrishna Shastry, Adv.

Judgement :

ORDER

(a) Appeal is devoid of merit and hence, stands dismissed, subject to the observations made supra.

(b) Case of both parties is kept open for consideration by the Trial Court, on all the issues, except issue No. 7.

(c) The Trial Court is directed to take the suit on its board on 21.6.2010 and proceed further in the matter. Learned Counsel appearing for the parties have

undertaken to keep their clients present before the Trial Court on 21.6.2010 to receive the orders.

(d) Trial Court is hereby directed to dispose of the suit expeditiously and at rate within one year period from the date of first appearance of the parties.

In the facts and circumstances of the case, parties are directed to bear their respective costs.

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