

IN THE HIGH COURT OF KARNATAKA
CIRCUIT BENCH AT DHARWAD
DATED THIS THE 7TH DAY OF JULY, 2008

BEFORE

THE HON'BLE MR. JUSTICE ASHOK B. HINCHIGERI

C.R.P. NO.165 OF 2005

BETWEEN

Sri Narayan Sakharam Tarnankar
Aged about 74 years,
Occ. Business
R/o 1805B, Kelkar Bag
Belgaum

...Petitioner

[Sri B.S. Kadkol, Advocate]

AND

1. Sri Prabhakarlal
S/o Mohanlal Kalwar
Aged about 74 years,
Occ. Trade and Landlord
R/o CTS No.1679/A, Kirloskar Road
Belgaum
2. Smt. Usha Kiran
W/o Anand Narayan Kalwar
Aged about 56 years
R/o House No.132, Morarji peth
Leela Bhavan, Sholapur
Maharashtra State
3. Master Caustugh

S/o Anand Narayan Kalwar
R/o House No.132, Morarjipeth
Leela Bhavan, Sholapur
Maharashtra State

4. Master Lalit Narayan
S/o Anand Narayan Kalwar
R/o House No.132, Morarjipeth
Leela Bhavan, Sholapur
Maharashtra State

Respondents No.3 and 4 are minors
Under care and protection of their
Guardian Mother respondent No.2
Smt. Usha Kiran

...Respondents

[Sri R.D. Gokakar for C/R1,
R2 served]

This Civil Revision Petition is filed under Section 115 of the CPC against the order dated 19.1.2005 passed in Execution Case No.230/90 on the file of the II Additional Civil Judge (Sr. Dn.), Belgaum rejecting the objections filed by the petitioner herein.

This petition coming on for orders this day, the Court made the following:

ORDER

The learned counsel for the petitioner, Sri B.S. Kadkol has filed vakalat on behalf of the petitioner. The same is taken on record. A joint memo is filed, which is duly signed by the parties and their respective learned advocates. The same is taken on record. It reads as follows:

A.B.H.

"HEREIN, the joint memo on behalf of the petitioner and the respondent No.1 is as under:

The petitioner and respondent No.1 have settled the matter by filing the memo in the trial court in Execution petition No.230/1990 (out of which this CRP Arises) on the file of II Additional Civil Judge Belgaum. Certified copies of the order sheet and two memos of the trial court are produced herewith. Hence the CRP may be disposed of as settled out of court and the claim of the Decree Holder, i.e. respondent No.1 fully satisfied.

Hence this Memo."

2. In the result, this petition is disposed of as settled out of Court.

Sd/-
Judge

Inn