

**IN THE HIGH COURT OF KARNATAKA AT BANGALORE**

DATED THIS THE 27<sup>th</sup> DAY OF FEBRUARY, 2004

BEFORE

THE HON'BLE MR. JUSTICE N. S. VEERABHADRAIAH

**C.R.P.NO.231/2004**

**BETWEEN:**

Sri Padmaraja Ballal,  
S/o Raghuchandra Ballal,  
Hindu, aged 47 years,  
Mavanthoor House,  
Koila Village and Post,  
Bantwal Taluk, D.K.

..PETITIONER

(By Sri Sanath Kumar Shetty K., Adv.)

**AND:**

Sri Subaschandra Shetty,  
S/o Muthayya Shetty,  
Hindu, aged about 35 years,  
Residing at Deviprasad House,  
Behind : K.R.E. Collage,  
Surathkal, D.K.

Represented by his G.P.A.  
Holder Sri M.Devappa Shetty,  
Aged bout 58 years,  
Mavathoor Koila Village & Post,  
Bantwal Taluk, D.K.

..RESPONDENTS

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This C.R.P. is filed U/S.115 of C.P.C. against the order dated 21.11.2003 passed on I.A.No.19 in O.S.No.124/94 on the file of the Prl. Civil Judge, (Jr.Dn.), Bantwal, D.K., rejecting I.A.No.19 filed U/O 26 R 9 and Sec.151 of C.P.C. seeking to direct the Commissioner to revisit the suit properties and to note and report on the points mentioned in the application.

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

