

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 30th DAY OF JULY, 2004

BEFORE

THE HON'BLE MR JUSTICE S.R.NAYAK

CIVIL REVISION PETITION NO.4876/2001

BETWEEN:

1. Mallikarjun,
S/o Shankerappa Parshetty,
Aged about 30 years,
Occ:Agriculture,
R/o Village Mustapure,
Taluk:Humnabad,
Dist:Bidar.

2. Shenkerappa,
S/o Bhadrappa Parshetty,
Aged about 70 years,
Occ:Agriculture,
R/o Village Mustapure,
Tq:Humnabad, Dist:Bidar.

Since deceased by LR

2a) Smt.Sundrabai,
w/o late Shankerappa,
Aged about 77 years,
Occ:Household,
R/o Village Mustapur,
Tq:Humnabad, Dist:Bidar.

...Petitioners

Amended causetitle as per
Order dt.15.12.2003

(By M/s.Hegde Assts, Advs)

AND:

1. Mahadev,
S/o Shivanand Patne,
Aged about 25 years,
Occ:Agriculture,
R/o Village Mustapure,

Tq:Humnabad,
Dist:Bidar.

2. Shantibai,
W/o Shivanand Patne,
(Dead)
(Rep. by the only surviving
LR respondent No.1)
3. Sharanappa,
S/o Mahavevappa Patne,
(Dead)
(Rep. by the only surviving
LR respondent No.4).

Amendment made as per court
Order dt.15.4.2002.

4. Kasturi Bai,
W/o Sharanappa Patne,
Aged about 30 years,
Occ:Household and Hotel Business,
R/o Village Mustapure,
Tq:Humnabad, Dist:Bidar. ... Respondents

(By Sri.Arjun S.Mallur, Adv for R1,
R2 and R3 dead, LRs already on record,
R4 sd)

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CRP filed u/s 115 CPC against the order
dt.10.10.2001 passed on IA in O.S.No.147/1984 on the
file of the Prl. Civil Judge (Sr.Dn.), Humnabad,
rejecting the application filed u/o 23 R 3 CPC.

This Petition coming on for hearing, this day,
the court made the following:

ORDER

Heard the learned counsel for the parties and
perused the order under revision. Having regard to
the claim set forth by defendant No.4 in her written
statement, the view taken by the court below is



