

IN THE HIGH COURT OF KARNATAKA, BANGALORE

DATED THIS THE 6TH DAY OF JUNE, 2003

BEFORE

THE HON'BLE MR JUSTICE P.VISHWANATHA SHETTY

CRP.NO.1672 OF 2003

BETWEEN

Vittalsa Shankarasa Kabadagi,  
S/o Shankarasa Kabadagi,  
Age Major,  
R/o Gokak,  
Dist Belgaum

PETITIONER

(By Smt PRAMILA NESARGI ADV )

AND

M A Angadi,  
S/o Sri Angadi, Major,  
Resident of Hospet Galli,  
Gokak,  
District Belgaum

RESPONDENT

This C R P is filed under Section 115 of C P C against the order dated 13 2 2003 passed in Misc Appln No 31/1999 on the file of the Civil Judge, Sr Dn , Gokak, rejecting I A No V filed under section 151 of CPC seeking to dispose the petition

This C R P coming on for Admission this day, the court made the following

ORDER

The learned counsel for the petitioner realising the difficulty for invoking jurisdiction of this court under section 115 CPC against the order impugned, sought permission of this court to withdraw this petition reserving liberty to the petitioner to file a writ petition under Articles 226 and 227 of the Constitution of India.

2 Accordingly, this C R P is rejected reserving liberty to the petitioner to challenge the order impugned under Articles 226 and 227 of the Constitution of India.

Sd/   
Judge

KVS