

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 11TH DAY OF NOVEMBER 2003

BEFORE

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

CIVIL REVISION PETITION NO. 3954 OF 2002

BETWEEN


- 1 LAXMAN DEVAPPA MARIHAL
MAJOR, OCC: AGRICULTURE
R/O HALGA, TQ; BELGAUM
- 2 KRISHNA DEVAPPA MARIHAL
MAJOR,
R/O HALGA, TQ; BELGAUM
- 3 SHANKAR DEVAPPA MARIHAL
MAJOR,
R/O HALGA, TQ; BELGAUM
- 4 PARVATHI BHIMSHU MARIHAL
MAJOR,
R/O HALGA, TQ; BELGAUM
- 5 MANGESH DEVAPPA MARIHAL
MAJOR,
R/O HALGA, TQ; BELGAUM
- 6 UMA D/O DEVAPPA MARIHAL
MAJOR,
R/O HALGA, TQ; BELGAUM
- 7 ASHA W/O MARUTHI PATIL
MAJOR,
R/O HALGA, TQ; BELGAUM
- 8 RENUKA W/O FAKIRA MARIHAL
MAJOR, R/O HALGA, TQ; BELGAUM



- 9 PEERAJI FAKIRA MARIHAL
MAJOR,
R/O HALGA, TQ; BELGAUM
- 10 NETAJI FAKIRA MARIHAL
MAJOR,
R/O HALGA, TQ; BELGAUM
- 11 GUNDU FAKIRA MARIHAL
MAJOR,
R/O HALGA, TQ; BELGAUM
- 12 YALAPPA FAKIRA MARIHAL
MAJOR,
R/O HALGA, TQ; BELGAUM
- 13 SHALUBAI W/O VOKABA HODAGEKAR
MAJOR, OCC: HOUSEHOLD WORK,
R/O KANBARGI, TQ BELGAUM.
- 14 JANABAI W/O BHAVAKANNA PATIL
MAJOR, OCC: HOUSEHOLD WORK,
R/O JAFANADI TQ BELGAUM.
- 15 LALITA NANDU GURAVACHE
MAJOR, OCC: HOUSEHOLD WORK,
R/O LOKOLI, TQ KHANAPUR. ..PETITIONER

(BY SRI S R SHINDE, ADV.)

AND

- 1 SMT RATNABAI SHANKAR SHETAWAJI
MAJOR, OCC: HOUSEHOLD WORK,
R/O HALGA, TQ BELGAUM.
- 2 SAVITRI BHAIKU HONAGEKAR
MAJOR, OCC: HOUSE HOLD WORK,
R/O HALGA, TQ BELGAUM.
- 3 BABU RAMA MARIHAL
MAJOR,
- 

R/O HALGA,
BELGAUM.

..RESPONDENTS

(BY SRI ASHOK R KALYANASHETTY, ADV.)

CRP FILED U/S. 115 OF CPC AGAINST THE JUDGMENT AND ORDER DT. 2.9.02 PASSED IN M.A.NO.8/01 ON THE FILE OF THE III ADDL. CIVIL JUDGE (SR.DN), BELGAUM, ALLOWING THE APPEAL AND SETTING ASIDE THE ORDER DT. 5.12.00 PASSED ON I.A.NO.II IN O.S.NO.213/99 ON THE FILE OF THE III ADDL. CIVIL JUDGE (JR.DN), BELGAUM, DISMISSING I.A.NO.II FILED U/O 39 R 1 AND 2 OF CPC FOR T.I.

THIS PETITION COMING ON FOR HEARING THIS DAY, THE COURT MADE THE FOLLOWING:

ORDER

Heard.

In the light of the decision in the case of Surya Dev Rai-vs-Ram Chander Rai and others, reported in (2003)6 SCC 675, the revision as against the interlocutory order is not maintainable.

Hence the revision is dismissed.

Sd/ A
Judge