

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 20 TH DAY OF FEBRUARY 2001

BEFORE

THE HON'BLE MR. JUSTICE V.P.MOHAN KUMAR

CRP No 144 OF 2001

BETWEEN

Smt. Lalitha Devi,
Wife of Bhavarlal,
Major,
Occupation: Nil,
Residing at No.203, 15th Main,
Neethi Marga, II Stage,
Siddarth Nagar,
Mysore - 570 011.

.. PETITIONER

(By Sri. G.S.Bhat & Associates, Advocate)

AND :

1. Sri.S.K.Bhagavanmal Jain,
Son of Khumaji,
Major,
Residing at No.120,
Devaraj Urs Road,
Devaraja Mohalla,
Mysore - 570 001.
2. Prabha Devi,
Wife of Gautham,
Major,

LA

Residing at No.203, 15th Main,
Neethi Marga,
Siddarth Nagar,
Mysore - 570 011.

.. RESPONDENTS

This CRP is filed u/s.115 CPC against the order dated 14.11.2000 passed on IA No.II in O.S.No.209/99 on the file of the Prl. 1st Civil Judge (Jr.Divn), Mysore, dismissing IA NO.2 filed U/O.1 R 10(2) CPC.

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

ORDER

I have heard the Counsel for the petitioner. The petitioner pleads that he is unnecessary party to the suit and he has been impleaded unnecessarily. Therefore, he has filed an application to remove him from the party array. That application was rejected. Therefore, this revision is filed.

2. It is premature to decide as to whether he is a necessary or unnecessary party. Defence of

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the petitioner may have to be taken and at this stage it cannot be decided as to whether he is necessary party or not.

Accordingly, CRP is dismissed.

Sd/- JUDGE

cm/-