

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 12TH DAY OF MARCH 1999

PRESENT

THE HON'BLE MR.JUSTICE B.PADMARAJ

AND

THE HON'BLE MR.JUSTICE T.N.VALLINAYAGAM

W.P.No.20646-50/1983

Between :

1. Ramalingappa  
S/o. Gadappa
2. Smt. Ambamma  
W/o. Sanna Yerrappa
3. Irappa G. Ishwarappa  
S/o. Hosalli Nagappa
4. Thippaswamy  
S/o. Hanumanth P.
5. Hanumaiah  
S/o. Hanumanthappa

All are majors  
residents of Kolagal Village  
Bellary Taluk  
Bellary Dist.

.. Petitioners

(By Sri.S.Siddalingaiah, Adv.)

And :

1. The State of Karnataka  
by its Secretary to Government  
Revenue Department  
Vidhanasoudha  
Bangalore - 560 001

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2. The Land Reforms Tribunal  
Bellary  
by its Secretary  
Bellary
3. The Assistant Commissioner  
Bellary Sub-Division  
Bellary
4. The Tahsildar  
Bellary Taluk  
Bellary
5. V. Narayanaswamy Setty  
S/o. V. Krishnaiah Setty  
major  
R/o. Kamma Street  
Brucepet  
Bellary
6. Chippageri Anjinappa  
S/o. Ramappa
7. Nayakara Venkatesh  
S/o. Lingappa
8. Kurubara Honnurappa  
S/o. Sanna Rudrappa
9. Nayakara Thimmappa  
S/o. Buddeerappa
10. ~~Shank~~ Saheb  
S/o. Hussainsab
11. Mohammadsab  
S/o. Kaiesab
12. A. Khadrasab  
S/o. Hussainsab
13. Uppara Hadivi Yerrappa  
S/o. Karibasappa
14. Uppara Eranna  
S/o. Govindappa
15. Khaja Hussain  
S/o. Hussain Peera

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16. Samuel s/o Simon,
17. Barikara Sunkappa  
s/o Bylappa;
18. S.R.C. Reddy s/o  
Sivarama,

Respondents 6 to 18 are  
all minors, R/o Kolagal,  
Bellary Tq. & Dist.

Respondents.

( Govt. Advocate for R1 to R4. )

These writ petitions filed under Articles 226 of the Constitution, praying to quash the orders dated 17-11-1982 and 30-9-1983 respectively.

I.A, VI is filed U/s 151 to recall the order dated 16-12-1994, dismissing the petitions are non-prosecution.

I.As coming on for orders this day, T.N. Vallinayagam J., delivered the following:

O R D E R

I.A.5 is filed to excuse the delay in filing the application to recall the order dated 16-12-1994. No affidavit from the party is filed in support of the petition. There is delay of 1340 days. No explanation is given in the affidavit except filing of Vakalath by one Advocate in the place of another. What happened to those Vakalats also has not been explained. Not even an attempt is made to explain the reason for the delay. When the Advocate is on record, the petitioner cannot claim that he came to know of the order only in 1998. Though I.A.5 is at

service stage, even for serving some of the respondents, no steps have been taken, from 21-1-199 till date despite time being granted by the Bench. We find no ground to condone the delay of 1340 days.

2. The applications are, therefore, dismissed.

Sd/-  
Judge

Sd/-  
Judge

vge.