



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 13TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

MISCELLANEOUS FIRST APPEAL NO. 2548 OF 2026 (CPC)

C/W

MISCELLANEOUS FIRST APPEAL NO. 2558 OF 2026

IN MFA No. 2548/2026

BETWEEN:

1. SRI B M SRIVATSA
S/O LATE MADHAVAN K.,
AGED ABOUT 54 YEARS,
R/AT NO.1242, GEETHA,
10TH MAIN ROAD, WEST OF CHORD ROAD,
II STAGE, MAHALAKSHMIPURAM,
BENGALURU NORTH - 560 086

...APPELLANT

(BY SRI RAJESH MAHALE, SENIOR COUNSEL FOR
SRI RAMESH CHANDRA., ADVOCATE)

AND:

1. SRI NAGARAJ R NAGARABHAVI,
S/O LATE S. RAMAIAH,
AGED ABOUT 45 YEARS.
2. SRI. HANUMARAJ R.,
S/O LATE S. RAMAIAH,
AGED ABOUT 48 YEARS.
3. SRI. SIDDARAMAIAH,
S/O LATE SIDDAPPA S.,
AGED ABOUT 50 YEARS.

Digitally signed
by
GAVRIBIDANUR
SUBRAMANYA
GUPTA
SREENATH
Location: HIGH
COURT OF
KARNATAKA



NC: 2026:KHC:35492
MFA No. 2548 of 2026
C/W MFA No. 2558 of 2026

ALL RESPONDENT No.1 TO 3
R/AT NO. 15, ISEC MAIN ROAD,
NAGARBHAVI VILLAGE,
BENGALURU NORTH TALUK,
BENGALURU - 560 072.

...RESPONDENTS

(BY SRI. SHANKAR G., ADVOCATE)

THIS MFA IS FILED UNDER ORDER 43 RULE 1(r) OF CPC,
AGAINST THE ORDER DATED 18.03.2026 PASSED ON I.A.NO.1
AND 2 IN OS.NO. 8750/2025 ON THE FILE OF THE XXX
ADDITIONAL CITY CIVIL AND SESSIONS JUDGE, BENGALURU
CITY (CCH-31), PARTLY ALLOWING THE I.A.NO.1 FILED UNDER
ORDER 39 RULE 1 AND 2 AND PARTLY ALLOWING THE
I.A.NO.2 FILED UNDER ORDER XXXIX RULE 4 READ WITH
SECTION 151 OF CPC.

IN MFA NO. 2558/2026

BETWEEN:

1. SRI B M SRIVATSA
S/O LATE MADHAVAN K.,
AGED ABOUT 54 YEARS,
R/AT NO.1242, GEETHA,
10TH MAIN ROAD,
WEST OF CHORD ROAD,
II STAGE, MAHALAKSHMIPURAM,
BENGALURU NORTH - 560 086

...APPELLANT

(BY SRI RAJESH MAHALE, SENIOR COUNSEL FOR
SRI RAMESH CHANDRA., ADVOCATE)



NC: 2026:KHC:35492
MFA No. 2548 of 2026
C/W MFA No. 2558 of 2026

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ALL RESPONDENT NO.1 TO 3
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BENGALURU NORTH TALUK,
BENGALURU - 560 072.

...RESPONDENTS

(BY SRI. SHANKAR G., ADVOCATE)

THIS MFA IS FILED UNDER ORDER 43 RULE 1(r) OF CPC,
AGAINST THE ORDER DATED 18.03.2026 PASSED ON
I.A.NO.II IN OS.NO.8750/2025 ON THE FILE OF THE
XXX ADDITIONAL CITY CIVIL AND SESSIONS JUDGE,
BENGALURU CITY (CCH-31), PARTLY ALLOWING THE I.A.NO.2
FILED UNDER ORDER 39 RULE 4 READ WITH SECTION 151 OF
CPC.

THESE APPEALS, COMING ON FOR ADMISSION, THIS
DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:



CORAM: HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

ORAL JUDGMENT

These two appeals are filed by the plaintiffs in OS No.8750/2025. Aggrieved by the orders passed on I.A. No.1 filed under Order XXXIX Rules 1 and 2 read with Section 151 of CPC and I.A.No.2 filed under Order XXXIX Rule 1 and 2 read with Section 151 of CPC by the learned XXX Addl. City Civil and Sessions Judge, Bengaluru.

2. In the first appeal, I.A.No.1 was filed by the plaintiff and in the second appeal, I.A.No.2 came to be filed by defendant No.1 seeking an order of temporary injunction under Order XXXIX Rule 1 and 2 on the basis of the counter-claim filed by defendant No.1. Whereas the counter-claim was filed seeking for the relief of declaration.

3. The parties to the proceedings shall be referred to as plaintiff and defendants, for the sake of brevity.

4. The learned trial Court disposed of IA Nos.1 and 2 by way of common order.



5. Though this matter is listed for at the stage of admission, with the consent of both the learned counsel, the matter is taken for final disposal after giving opportunity to both of learned counsels to address the arguments on the main.

6. The plaintiff filed the suit for permanent injunction against the defendants with regard to the suit schedule property which is a site measuring 30x40 sq.ft. Along with the plaint, the plaintiff filed applications in I.A. No.1 under Order 39 Rule 1 and 2 seeking for order of temporary injunction restraining the defendants, or their servants, agents, or anyone claiming under them from causing interference with and obstruction to plaintiff's peaceful possession and enjoyment of the suit schedule property till disposal of the suit.

7. Upon appearance of the defendants, written statement counter claim and objections came to be filed by defendant No.1. Defendant Nos.2 and 3 have not filed written statement as well as counter claim. The defendant No.1 filed an application in I.A.No.2 under Order XXXIX Rule 1 and 2 read with Section 151 of CPC also seeking for order of temporary



injunction restraining the plaintiff, their henchmen, agents, successors, legal heirs, representatives assignee from interfering with defendant No.1 peaceful possession of the written statement schedule property till disposal of the suit. Both these applications were taken up together and common order came to be passed by the learned Trial Judge.

8. After hearing both the learned counsels for the plaintiff as well as the defendants, the learned Trial Court came to the conclusion that the ends of justice would be met by granting a balanced and equitable relief, preserving the subject matter of the suit and protecting the interests of both parties until final adjudication. Accordingly, instead of granting an absolute injunction in favour of either party, a partial relief by way of status quo was warranted. Thereby, neither party gains an unfair advantage during the pendency of the suit accordingly, the Trial Court passed an order directing both the plaintiff as well as the defendants to maintain status quo with regard to possession and nature of the suit schedule property until disposal of the suit.



9. It is the vehement contention of learned Senior Counsel Sri Rajesh Mahale appearing on behalf of learned counsel Sri Ramesh Chandra for the plaintiff that the impugned order passed by the learned trial Court is perverse, erroneous, arbitrary and contrary to the materials placed on record and the same is liable to be set aside for several reasons.

10. It is primarily contended by learned Senior counsel that the counter claim filed by respondent No.1/defendant No.1 is not maintainable as it is barred by law of limitation. He further contends that lease-cum-sale agreement came to be executed in the year 1989 and it is this lease-cum-sale agreement, which is now sought to be declared to be invalid in the declaration sought for by defendant No.1 in the counter claim. It is also contended by learned Senior counsel that the defendants have sought a declaratory relief with regard to the sale deed dated 15.03.2007 to be not binding, which is again barred by law of limitation. Learned Senior counsel further contends that the registration in favour of the plaintiff by way of a registered sale deed creates a constructive notice and there is a presumption in law with regard to the registered document being valid when the same is binding on the executor



and all others. It is also contended by learned Senior counsel that defendant No.1 has conspicuously not included the relief of cancellation of the sale deed since declaration in the counter claim made as required under Section 31 of the Specific Relief Act, 1963.

11. Learned Senior counsel further contends that there is a registered sale deed dated 15.03.2007 in favour of the plaintiff's mother, which is executed on the basis of the General Power of Attorney in favour of the Sangha, namely the Kendra Upadhyayara Sangha (Regd.), Bangalore South. Based on the registered sale deed dated 15.03.2007, the plaintiff having succeeded pursuant to the death of his mother, the owner of the suit schedule property. In pursuance to the registered sale deed, the revenue documents were transferred in the name of the mother of plaintiff including the encumbrance certificate, the tax paid receipts and pursuant to the death of the mother of the plaintiff, the same is now standing in the name of the plaintiff. The plaintiff has obtained a sanction plan for construction of a building and has started putting up construction in the suit schedule property in accordance with



the sanction plan. Therefore, the plaintiff is in peaceful possession and enjoyment of the suit schedule property as an absolute owner and is exercising his right as owner without any kind of interference whatsoever. When a cause of action arose, he filed a suit for permanent injunction against the defendants. Therefore, it is a vehement contention of learned Senior counsel that by production of these relevant crucial documents of title, documents of possession and the revenue documents to show that the property stands in the name of his deceased mother and thereafter in his name and the plaintiff having obtained the sanctioned building plan is putting up construction in the suit schedule property, he has made out *prima facie* case and so also the balance of convenience tilts in favour of the plaintiff and irreparable injury and hardship would be caused more to the plaintiff than to the defendants, which cannot be compensated with costs.

12. It is further contended by learned Senior counsel that on the contrary, the counter claim which is filed by defendant No.1 with regard to declaratory relief sought in the present suit is itself primarily defective and defendant No.1



may not succeed in the trial as it is barred by law of limitation. It is also not the case of defendant No.1 that there was no agreement of sale or the GPA in favour of the Sangha and that the Sangha had in turn not executed a registered sale deed in the name of deceased mother of plaintiff and subsequently, the plaintiff having succeeded to the suit schedule property, the documents stands in his name. Therefore, there is no *prima facie* case made out by defendant No.1 for grant of an order in his favour and balance of convenience does not tilt in his favour so also no hardship will be caused to defendant No.1 and at the most if defendant No.1 succeeds, it can be compensated with costs imposed on the plaintiff. On these grounds, learned Senior counsel seeks to set aside the impugned order and consequently, allow the appeals.

13. *Per contra*, learned counsel Sri Shankar G appearing for the respondents vehemently contends that the defendants are the absolute owners of the suit schedule property since 1967 having derived the title from Thimmakka and the said title is not disputed by the plaintiff or anyone whomsoever. It is further contended by learned counsel that



the agreement of sale so alleged to have been executed in favour of the Sangha and the General Power of Attorney has not been enforced and at no point of time, these two documents were sought to be enforced and neither did any title pass nor transfer to the Sangha, for the Sangha to have executed a sale deed in favour of the mother of the plaintiff. So, therefore, the execution of the registered sale deed in the name of mother of plaintiff itself is invalid in the eye of law. Several litigations are pending before this Court and the matter is now seized before the Hon'ble Apex Court with regard to the title of the suit schedule property of a larger extent, which is yet to be decided by the Hon'ble Apex Court.

14. Learned counsel for the respondents has also relied upon the proceedings in RFA No.671/2005 and contends that this Court vide order dated 17.02.2010 passed partial decree on the basis of I.A.No.2/2008, which came to be dismissed. Consequently, the appeal i.e., RFA 671/2005 came to be allowed to that extent and was confined to the remaining portion of the suit schedule properties.



15. Learned counsel for the respondents also relies upon the order dated 23.08.2007 passed by this Court in RFA 671/2005, whereby the appellants in the said first appeal had sought for review of two orders dated 07.03.2007 and 29.01.2007, respectively, by which the Court had directed the trial Court to record the compromise relating to the two compromise petitions filed before this Court. It is also contended by learned counsel that by the said order, the Court held that on consideration of the facts of the case, "I am of the view that said the aforesaid compromise does not bind the applicants/appellant Nos.1 to 3, but shall be subject to the result of appeal. Any construction that would be put up on the subject matter of the aforesaid compromise shall also be subject to the result of this appeal. Ordered accordingly."

16. Learned counsel further contends that suit filed by Karianna, one of the family member of the defendants, against the Sangha and the other three brothers came to be allowed by the trial Court and subsequently, dismissed in the first appeal before this Court.



17. Learned counsel for the respondents vehemently contends that when the title to the suit schedule property is not in dispute by the defendants and the agreement of sale and the GPA so alleged to have been executed by the defendants in favour of the Sangha having not been enforced or put to execution for part performance and no such title having been passed in favour of the Sangha, the question of Sangha getting ownership to transfer the right, title or interest to any other person including the plaintiff would not arise and the mother of the plaintiff claiming such a relief on the basis of the registered sale deed dated 15.03.2007 is far-fetched as that itself is not sustainable and maintainable, as no right vests with the mother of the plaintiff much less the plaintiff getting any right to have title over the suit schedule property.

18. Learned counsel further contends that the defendants had kept their vehicle in the suit schedule property, which has been illegally towed away by the plaintiff high handedly which is clear abuse of powers illegally exercised by the plaintiff. Therefore, *prima facie* case is made out by defendant No.1 after having filed declaratory relief by way of a



counter claim and since the suit becomes a comprehensive suit on behalf of defendant No.1 by way of counter claim, the same requires to be adjudicated in a full-fledged trial. Therefore, at this stage, it would not be appropriate to grant an order of temporary injunction in favour of the plaintiff rather it is more appropriate to grant an injunction in favour of defendant No.1 on the basis of the counter claim so made by defendant No.1 on a comprehensive relief sought including cancellation of the agreement of sale and the sale deed in favour of the mother of plaintiff being not binding on defendant No.1. It is also contended that balance of convenience tilts in favour of defendant No.1 and much hardship would be caused to defendant No.1 than the plaintiffs. On these grounds, he seeks to sustain the impugned order and dismiss the appeal preferred by the plaintiff.

19. Learned counsel for the respondents in support of his case relied on the following judgments:

- i) ***Anathula Sudhakar vs. P.Buchi Reddy (Dead) by Lrs. and others*** reported in ***(2008) 4 SCC 594***;



- ii) ***Jharkhand State Housing Board vs. Didar Singh and another*** reported in **(2019) 17 SCC 692**;
- iii) ***Shakeela Ahmed vs. Syed Akhlaq Hussain*** [**Civil Appeal No.1598/2023**];
- iv) ***Ramesh Chand (D) Thr. Lrs. vs. Suresh Chand and anr.*** [**Civil Appeal No.6377/2012**];
- v) ***Sanjay Sharma vs. Kotak Mahindra Bank Ltd. & Ors.*** [**SLP (C) No. 330/2017**]; and
- vi) ***Indian Overseas Bank vs. M.A.S Subramanian & Ors.*** [**Civil Appeal Diary No(s). 38616/2018**]

20. Having learned Senior counsel Sri. Rajesh Mahale for the plaintiff and learned counsel Sri Shankar.G., for the defendants, the point that arises for consideration is:

- 1. *Whether the impugned order passed by the trial Court requires interference, if so to what extent? and*
- 2. *What order?*

21. It is not in dispute that the plaintiff has filed a suit for the relief of bare injunction against the defendants and has also filed an application for temporary injunction seeking to restrain the defendants from interfering the peaceful possession and enjoyment of the suit schedule property. So also it is not in



dispute that upon appearance of the defendants, defendant No.1 filed a detailed written statement and counter claim seeking for the relief of declaration and consequential reliefs for cancellation of the sale deeds and nullifying the power of attorneys executed in favour of the Sangha and during the course of such counter claim made, an application is filed by defendant No.1 for temporary injunction restraining the plaintiff from interfering with defendant No.1 peaceful possession and enjoyment of the suit schedule property.

22. The trial Court, upon consideration of the arguments of both learned counsel, has passed an order directing both parties to maintain *status quo* with regard to the possession and enjoyment of the suit schedule property so that equities could be maintained on the ground that balance of convenience lies in preventing either party from altering the nature of the property or disturbing the existing state of affairs.

23. When an application under Order XXXIX Rule 1 and 2 is filed by either plaintiff or defendant (defendant in the case of counter claim), there are three essential requirements for consideration of such application for the trial Court namely



prima facie case, balance of convenience and hardship that would be caused more to the which party.

24. It is no more *res integra* that while considering the application under Order XXXIX Rule 1 and 2, the trial Court is supposed to look into *prima facie* case and not *prima facie* title over the suit schedule property. As in many cases, the trial Court gets swayed away by looking into *prima facie* title which is not a requirement while dealing with an application under Order XXXIX Rule 1 and 2. It is also needless to mention that while considering an application under Order XXXIX Rule 1 and 2, the trial Courts need not conduct a mini trial to elaborately go into the matter and delve deeper into the case thereby making an observation into the merits of the suit. The applications are primarily considered on the basis of affidavits, pleadings, material documents placed before the Court along with the plaint and objection statement, if any, or with the documents annexed by way of any memo.

25. Now the question would arises to what would be the *prima facie* case to decide such an application.



26. In the present case on hand, it is the case of the plaintiff that her mother, Late Smt. Padmavathamma was allotted suit schedule property by Kendriya Upadhyaya Sangha, Bangalore South. In pursuance to said allotment, a registered lease-cum-sale agreement was executed in her favour on 13.07.1989. Thereafter, the Sangha delivered possession of the suit schedule property on 01.03.1993. The original lease-cum-sale agreement was returned to the Sangha at the time of execution of the absolute sale deed. It is also the case of the plaintiff that the Sangha executed the registered sale deed on 15.03.2007 in favour of the plaintiff's mother and thereafter, the revenue records, the encumbrance certificates, the tax paid receipts all were in favour of the mother of the plaintiff. Subsequent to her demise, the ownership changed in favour of the plaintiff and the encumbrance certificates, the tax paid receipts and all revenue records were transferred in favour of plaintiff and he became the absolute owner of the suit schedule property so also the records were mutated in his name. It is also the case of the plaintiff that he has obtained a sanction plan for construction of a building in his name and he was on the verge of putting up construction in the suit schedule



property. During which time, he apprehended an attempt of interference by the defendants and hence, filed the suit for permanent injunction.

27. It is also the case of the plaintiff that prior to filing of the suit, he filed a police complaint before the Jurisdictional Police i.e., Chandra Layout Police Station against the defendants for their unlawful threat and interference in the suit schedule property. But since the police did not interfere by saying that it is a civil matter, the plaintiff was constrained to approach the Civil Court for necessary relief.

28. On the basis of these documents, it is apparently clear that the plaintiff is claiming right, title and interest over the suit schedule property on the basis of the registered sale deed dated 15.03.2007, which was executed in favour of his mother. The property is a site measuring 30 x 40 square feet. A suit for bare injunction is filed by plaintiff. Apparently, it is seen that adjoining sites have all been developed, possessions are taken and buildings have been constructed. The trial Court has dealt with all these aspects of the sale agreement, lease-cum-sale agreement, the General Power of Attorney, the allotment,



the registered sale deed in its impugned order so also the revenue records, the tax paid receipts, the encumbrance certificate standing in the name of the mother of the plaintiff and subsequently in the name of the plaintiff including the building license plan and the construction activity that has already commenced by the plaintiff in the suit schedule property.

29. The trial Court has also taken into consideration the objection raised by defendant No.1 with regard to the title of the plaintiff over the suit schedule property and the counter claim so made by seeking a larger comprehensive relief to declare the General Power of Attorney and the agreement of sale to be not valid and the sale deed dated 15.03.2007 to be not binding on defendant No.1 and also the assertion of defendant No.1 to be in possession of the property. At this stage, when both the parties claim to be in possession and claim right over the suit schedule property, the Court will have to see *prima facie* case made out by either of the party to grant an order of temporary injunction and to consider as to which of the party has made out a valid case for balance of convenience



and which party would suffer both hardship and inconvenience, if an order is not granted.

30. No doubt, the trial Court has considered the judgment of the Hon'ble Apex Court in the case of ***Wander Ltd. and anr. vs. Antox India P. Ltd.*** reported in ***1990 SCC (Supp) 727***, which held that it is important while granting an order of temporary injunction to preserve the subject matter of the suit in *status quo* so that rights of the parties can be effectively adjudicated. But when the parties to the proceedings have placed sufficient material before the Court to establish a *prima facie* case, then the question of granting an order of *status quo* may not be the correct position.

31. In the present case on hand, the plaintiff undoubtedly has produced a lease-cum-sale agreement standing in the name of his mother from the Sangha and the absolute sale deed dated 15.03.2007 executed by the Sangha in the name of the mother of plaintiff, the encumbrance certificate, the tax paid receipts, the revenue records having mutated in the name of mother of plaintiff and subsequently after the demise, in the name of the plaintiff, which is presently



existing and the plaintiff having procured a building sanction plan for construction in the suit schedule property and the construction activity having already commenced in the suit schedule property, which is also observed by the trial Court.

32. Under such circumstances, the trial Court ought to have taken into relevance these crucial aspects and ought to have passed an order of temporary injunction in favour of the plaintiff as *prima facie* case is made out by the plaintiff to go for trial over the suit schedule property.

33. It is apposite to mention that defendant No.1 may either succeed or may not in the trial, but for the present when the plaintiff has produced all these materials to show that he has a valid registered sale deed in his favour, he has made out a *prima facie* case for a grant of a temporary injunction order. The balance of convenience certainly tilts in favour of the plaintiff rather than that of defendant No.1. The hardship would be caused more to the plaintiff than defendant No.1 for the reason that the plaintiff having succeeded in producing these relevant documents of revenue records, the building sanction plan for construction and having started putting up



construction, nothing further remains for him to establish that he is already in possession of the suit schedule property and putting up some construction in the property. He may fail subsequently in the trial and may even lose the case, but that should not deprive him of having established a *prima facie* case and the hardship that may cause to him, in case defendant No.1 fails to succeed in the matter. Therefore, the trial Court has committed perversity in passing this order; as perverse order is one which does not consider material documents and passes a wrong order i.e., then this Court would have to step into and set aside the perversity of the order passed by the trial Court. The trial Court, in fact having dealt with all these aspects has instead of going by its reasoning, has come to the conclusion by holding that justice would be met by granting a balanced and equitable relief preserving the subject matter of the suit and protecting the interests of both parties until final adjudication and therefore, has denied an absolute injunction, which may not be correct as the trial Court cannot play safe and try to please both parties. When materials are placed by either of the party which is cogent and satisfactory, the trial



Court will have to appreciate the same and grant an order in favour of the party in whose favour it weighs more.

34. Having perused the judgments relied by the learned counsel for the respondents, this Court is of the opinion that the judgments relied by the learned counsel for the respondents may be applicable only while the trial Court decides the main matter in issue and not while deciding the application for temporary injunction. As stated by me earlier, the plaintiff may fail in the suit and defendant No.1 may succeed and vice versa, but while deciding an application for temporary injunction, it is the *prima facie* case for grant of an injunction to go for trial that has to be decided and not the *prima facie* title.

35. In view of the discussions made herein above, I pass the following:

ORDER

- i) Both the appeals are ***allowed***.
- ii) The impugned order dated 08.03.2026 passed on I.A.Nos.1 and 2 by the learned trial judge is hereby set aside.



- iii) Application in I.A.No.1 under Order XXXIX Rule 1 and Rule 2 filed by the appellant-plaintiff is hereby allowed.
- iv) The respondents-defendants are hereby restrained by an order of temporary injunction from causing any interference and obstructions to the plaintiff's peaceful possession and enjoyment of the suit schedule property, until the disposal of the suit.
- v) Consequently, orders passed on I.A.No.2 filed by defendant No.1 under Order XXXIX Rule 1 and 2 stands rejected.
- vi) It is needless to mention that in case defendant No.1 succeeds in his counter claim, any constructions activities that is put up or would be put up by the plaintiff, cannot as a matter of right be claimed by way of equity by the plaintiff.

36. After the final dictation of the judgment, learned counsel for the respondents has filed a memo seeking that this Order be kept in abeyance for 30 days for the respondents to secure certified copy so as to challenge this Order before the Hon'ble Apex Court for the reason that if such an order is not passed keeping this Order in abeyance of 30 days to facilitate



the respondents to approach the Hon'ble Apex Court, there is likelihood of advantage being taken by the plaintiff by continuing development on the disputed property during the period of filing the petition before the Hon'ble Apex Court.

37. This very memo itself is explanatorily clear that the plaintiff is putting up constructions in the suit schedule property and the respondent No.1-defendant No.1 admitted in his memo that the plaintiff will take advantage of continuing the development work.

38. As stated by me in the detailed order, when *prima facie* has been made out by the plaintiff by way of registered documents, which is a presumption in law that he is in a valid possession and entitlement to do anything in the suit schedule property unless, the same is reversed or set aside by any Competent Court.

39. I do not find any ground or good reason to accede to the request made by learned counsel for the respondent to keep in abeyance the Order passed herein today. No doubt, as soon as this Order is released and if any certified copy is



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applied, the certified copy shall be furnished forthwith to facilitate the respondent to challenge this Order before the Hon'ble Apex Court.

Pending I.As, if any, stand disposed of.

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

BKM - paragraphs 1 to 9
VM - paragraphs 10 to till end
List No.: 1 Sl No.: 36