



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 3RD DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE ASHOK S.KINAGI

REGULAR SECOND APPEAL NO. 1244 OF 2014

(DEC/INJ)

BETWEEN:

1. PUTTASHAMAIAH
SON OF LATE NARASIMHAIAH
AGED ABOUT 83 YEARS
2. NARASEGOWDA
AGED ABOUT 74 YEARS
SON OF LATE NARASIMHAIAH
3. YELLAMMA @ RAMAKKA
AGED ABOUT 63 YEARS
W/O LATE KARE NARASIAH
4. KARIGIRAPPA
AGED ABOUT 53 YEARS
SON OF KARE NARASIAH
5. RAMANNA
AGED ABOUT 43 YEARS
SON OF KARE NARASIAH

APPELLANTS 1 AND 2 ARE SONS OF LATE
NARASIMHAIAH
APPELLANTS 4 AND 5 ARE SONS OF KARE
NARASIAH

ALL ARE RESIDENTS OF
ANTHARASANAHALLY



TUMKUR TALUK
TUMKUR DISTRICT – 577 201

...APPELLANTS

(BY SRI. A SAMPATH., ADVOCATE)

AND:

1. NARASIMHAMURTHY
SINCE DEAD BY HIS LEGAL REPRESENTATIVES
- 1(A) SMT OBALAMMA
W/O LATE NARASIMHAMURTHY
AGED ABOUT 78 YEARS
- 1(B) SRI NANDISH
S/O LATE NARASIMHAMURTHY
AGED ABOUT 57 YEARS
- 1(C) SRI. KRISHNAMURTHY
SO LATE NARASIMHAMURTHY
MAJOR
- 1(D) SRI. MANJUNATH A N
S/O LATE NARASIMHAMURTHY
AGED MAJOR
- 1(E) SMT JAYAMMA A N
D/O NARASIMHAMURTHY
AGED MAJOR
- 1(F) SMT SUDHA A N
D/O NARASIMHAMURTHY
AGED MAJOR
- 1(G) SRI RAMESH A N
S/O NARASIMHAMURTHY
AGED MAJOR

ALL ARE R/AT ANJANEYA TEMPLE
ANTHARASANAHALI



TUMAKURU DISTRICT
TUMAKURU – 577 201

...RESPONDENT

(BY SRI. GURURAJ R., ADVOCATE FOR R1(A-G))

THIS RSA IS FILED U/S. 100 OF CPC., AGAINST THE JUDGEMENT & DECREE DTD 3.7.2014 PASSED IN R.A.NO.17/2009 ON THE FILE OF THE II ADDL. SENIOR CIVIL JUDGE & JMFC., TUMKUR, ALLOWING THE APPEAL AND SETTING ASIDE THE JUDGEMENT AND DECREE DTD 14.11.2008 PASSED IN OS.NO.618/2002 ON THE FILE OF THE III ADDL. CIVIL JUDGE (JR.DN) & JMFC., TUMKUR.

THIS APPEAL, COMING ON FOR HEARING, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE ASHOK S.KINAGI

ORAL JUDGMENT

This regular second appeal is filed by the appellants challenging the judgment and decree dated 03.07.2014 passed in RA No.17/2009 by the Court of learned II Addl. Senior Civil Judge and JMFC, Tumkur (***First Appellate Court*** for short).

2. For the sake of convenience, the parties are referred to based on their rankings before the Trial Court¹.

¹ OS No.618/2002 on the file of the Court of learned III Addl. Civil Judge and JMFC, Tumkur



The appellants were the plaintiffs and the respondent was defendant No.1 before the Trial Court.

3. Brief facts leading rise to the filing of this appeal are as follows:

3.1. The plaintiffs filed a suit before the Trial Court for declaration to declare that the plaintiffs are the absolute owners and in possession of the suit schedule property and decree for permanent injunction restraining the defendants from interfering with the peaceful possession and enjoyment of the plaintiffs over the suit schedule property. It is the case of the plaintiffs that the suit schedule property was originally belonging to one Narasiyappa, who is the father of defendant Nos.1 and 2, and the said Narasiyappa is no more. After the demise of Narasiyappa, his four sons sold the suit schedule property in favour of one Narasimhaiah who is the father of plaintiff Nos.1 and 2, father-in-law of plaintiff No.3 and grandfather of plaintiff Nos.4 and 5 under the registered sale deed dated 03.08.1968. On the same day, the four



sons have delivered the possession of the suit schedule property, and late Narasimhaiah was in peaceful possession and enjoyment of the suit schedule property till his demise. During his lifetime, he could not get entered his name in the revenue records as he was illiterate. The plaintiffs, after the demise of their father Narasimhaiah, came in possession of the suit schedule property. Defendant No.1 filed a petition before the Tahsildar, Tumkur for the re-grant of the suit schedule property in his favour. On 10.05.1990, the Tahsildar had passed an order re-granting the suit schedule property in favour of defendant No.1. Despite the order of re-grant, the possession of Late Narasimhaiah and the plaintiffs was not disturbed. The plaintiffs preferred an appeal before the learned District Court, Tumkur in MA (VOA) No.35/1990 and in the appeal, the present plaintiffs have withdrawn the said appeal by filing a memo in view of the mandate laid down by the Full Bench of this Court in **Syed Bhasheer Ahamed and Others Vs. State of**



Karnataka². Defendant No.1 had preferred a petition before the Revenue Authorities seeking change of revenue entries in the revenue records in his favour. The defendants have no right, title or interest over the suit schedule property. The defendants are trying to dispossess the plaintiffs from the suit schedule property. Hence, a cause of action arose for the plaintiffs to file a suit for declaration of title and permanent injunction.

3.2. Defendant No.1 filed a written statement contending that, the suit filed by the plaintiff is not maintainable on the facts and in law. It is contended that, filing of the petition for re-grant and as a result of filing the appeal by the plaintiffs before the District Court being withdrawn, subsequently, the defendants got amended the written statement contending that, the suit filed by the plaintiffs is barred by limitation and there is no cause of action to file a suit. Hence, prays to dismiss the suit.

² ILR 1994 KAR 159



3.3. The Trial Court, based on the rival pleadings of the parties, framed the following issues and additional issues:

"ISSUES

1. *Whether the plaintiffs prove that their absolute ownership and right over the suit schedule property by virtue of sale deed dated 03.09.1987?*
2. *Whether the plaintiffs prove their lawful possession over the suit schedule property as on the date of the suit?*
3. *Whether the Plaintiffs prove the interference caused by the defendants for their peaceful possession and enjoyment of the suit schedule property?*
4. *Whether the plaintiffs are entitled for the relief as sought?*
5. *What decree or order?*

Additional Issues

1. *Whether the defendant proves that suit of the plaintiff is not maintainable and barred by limitation?*
2. *Whether the defendant proves this court has no pecuniary jurisdiction to try the same?*
3. *What order or decree?"*



3.4. The plaintiffs, to substantiate their case, plaintiff No.5 was examined as PW1 and one witness was examined as PW2, and seventeen documents were marked as Exs.P1 to P17. In rebuttal, defendant No.1 examined himself as DW1 and marked eleven documents as Exs.D1 to D11.

3.5. The Trial Court, after appreciating the verbal and documentary evidence, answered issue Nos.1 to 3 in the affirmative, issue No.4 partly in the affirmative, additional issue Nos.1 and 2 in the negative, and issue No.5 as per the final order. The suit of the plaintiffs was decreed vide judgment dated 14.11.2008 and it was declared that the plaintiffs are the absolute owners in possession and enjoyment of the suit schedule property, and a decree for permanent injunction had been passed restraining the defendants, their agents, servants, henchmen or anybody from interfering with the plaintiffs' peaceful possession and enjoyment of the suit schedule property.



3.6. Defendant No.1, aggrieved by the judgment and decree passed by the Trial Court in OS No.618/2002, preferred an appeal before the First Appellate Court in RA No.17/2009.

3.7. The First Appellate Court, after hearing the learned counsel for the parties, framed the following points for consideration:

- "1) *Whether the trial Court is justified in decreeing the suit in the light of the evidence and documents, under the facts and circumstances of the present case?*
- 2) *Whether interference by this Court is required in the impugned judgment and decree?*
- 3) *What order?"*

3.8. The First Appellate Court, after re-appreciating the verbal and documentary evidence on record, answered point No.1 in the negative, point No.2 in the affirmative and point No.3 as per the final order. The appeal was allowed vide judgment dated 03.07.2014 and the judgment and decree passed by the Trial Court in OS



No.618/2002 was set aside. Consequently, the suit of the plaintiffs was dismissed.

4. The plaintiffs, aggrieved by the judgment and decree passed by the First Appellate Court in RA No.17/2009, filed this regular second appeal.

5. Heard the arguments of learned counsel for the plaintiffs and Sri. Vigneswara Shastry, learned Senior Counsel for defendant No.1.

6. Learned counsel for the plaintiffs submits that, the plaintiffs are the owners of the suit schedule property and the Trial Court decreed the suit for declaration of title and permanent injunction. The First Appellate Court reversed the judgment and decree passed by the Trial Court solely on the ground that the plaintiffs are out of possession. He submits that, the First Appellate Court has committed an error in recording its finding that the plaintiffs are out of possession. He submits that, the First Appellate Court, placing reliance on the eviction notice,



held that the plaintiffs are out of possession. He further submits that, as per Section 7 of the Karnataka Inam Abolition Act, 1977 (for short 'the Act'), the Deputy Commissioner is the competent authority to evict the occupants. He submits that, the Tahsildar has no jurisdiction to issue notice. He further submits that, in the re-grant order, there is no reference about the recovery of possession from the plaintiffs. He submits that, the First Appellate Court has committed error in reversing the judgment and decree passed by the Trial Court. He further submits that, the grant order was made on 01.02.1953 and the Act was amended with effect from 07.08.1978 and the order of re-grant was passed on 10.05.1990. As of the date of execution of registered sale deed, the Act was not in force. He further submits that, there is a recital in the registered sale deed regarding the delivery of possession. He submits that, as per Section 92 of the Indian evidence Act, any amount of oral evidence to contradict the terms and conditions of an instrument is



inadmissible in evidence. He submits that, as per Exs.P2 to P9, the plaintiffs are in possession of the suit schedule property. The First Appellate Court has failed to draw a presumption under Section 133 of the Karnataka Land Revenue Act and committed an error in reversing the judgment and decree passed by the Trial Court. He submits that, though the names of the defendants are shown in the revenue records, that is not supported by any piece of evidence. To buttress his arguments, he places reliance on the judgments of the Hon'ble Apex Court in the cases of **Dayaram and Others Vs. Dawalatshah and Others**³ and **N. Venkateshappa Vs. Munemma and Others**⁴ and the order of this Court in the case of **Syed Bhasheer Ahamed** (supra). Hence, on these grounds, he prays to allow the appeal.

7. *Per contra*, learned Senior counsel for defendant No.1 submits that, the Tahsildar had issued a notice of eviction and the Tahsildar has taken possession,

³ (1971) 1 SCC 358

⁴ (2016) 4 SCC 147



and subsequently, the order of re-grant was made in favour of the defendants' father. He submits that, the plaintiffs have not challenged the re-grant order and there is no reference in the re-grant order that the plaintiffs were unauthorised occupants of the said land, and subsequently, the Tahsildar has evicted the plaintiffs from suit schedule property. He submits that, mere suit for declaration of title and permanent injunction without seeking a consequential relief of possession is not maintainable as per proviso to Section 34 of the Specific Relief Act, 1963. To buttress his arguments, he has placed reliance on the judgment of the Hon'ble Apex Court in the case of ***Vasantha (Dead) through legal representative Vs. Rajalakshmi @ Rajam (Dead) through legal representatives***⁵ and the judgment of this Court in the case of ***Narasappa (Dead) by his legal representatives Vs. Kumarappa and Others***⁶. He further submits that, the plaintiffs have filed an appeal

⁵ (2024) 5 SCC 282

⁶ RSA No.2018/2013, disposed of on 02.06.2026



challenging the order of re-grant before the learned District Court, but subsequently, they withdrew the appeal without being reserved a liberty to approach the Civil Court. He submits that, in Exs.P3 to P9, the names of the defendants are appearing in column No.9, as of the date of filing the suit and the plaintiffs are not in possession of the suit schedule property. Hence, on these grounds, he prays to dismiss the appeal.

8. This Court, vide order dated 19.07.2016, admitted the appeal to consider the following substantial questions of law:

- "i) *Whether the lower Appellate Court is justified in reversing the Judgment and decree of the trial Court only on the basis of a report of the Revenue Inspector in the absence of any eviction proceeding initiated under the provisions of Section 7 of the Karnataka Village Officers Abolition Act, 1961 by the competent Authority ?*
- ii) *Whether the lower Appellate Court was justified in reversing the Judgment and decree of the trial Court ignoring the law declared by this Court in the*



case of Syed Basheer and others -v- State of Karnataka reported in ILR 1994 Kar. 159 wherein this Court has declared that any alienation made in between 1.2.1963 and 7.8.1968 under Section 7 of the Karnataka Village Officers Abolition Act is not applicable thereby the alienee with imperfect title is entitled to continue in possession and will get benefit of re-grant order which will be passed in favour of the alienee ?

iii) Whether the lower Appellate Court is justified in reserving the Judgment and decree under the facts and circumstances of the present case ?”

9. **Reg. Substantial Question of Law No.(i):**

The plaintiffs filed a suit for declaration to declare that the plaintiffs are the absolute owners and in possession of the suit schedule property. It is the case of the plaintiffs that, originally, the suit schedule property belonged to Narasiyappa, who is the father of defendant Nos.1 and 2, and he is no more. After his demise, his four sons sold the suit schedule property in favour of the father of plaintiff Nos.1 and 2, and the father of plaintiff Nos.1



and 2 was in possession of the suit schedule property till his demise. After his demise, the plaintiffs have succeeded to the suit schedule property. During the lifetime of the father of plaintiff Nos.1 and 2, he could not get changed the entries in the revenue records to his name as he was illiterate. After his demise, the plaintiffs submitted application for change of *khata* in the name of the plaintiffs. Defendant filed an application before the Tahsildar for re-grant of the said land. On 10.05.1990, the Tahsildar had passed an order re-granting the suit schedule property in favour of defendant No.1. Despite the order of re-grant, the possession of Late Narasimhaiah and the plaintiffs was not disturbed. The plaintiffs preferred an appeal before the District Court, Tumkur in MA (VOA) No.35/1990 and in the appeal, the present plaintiffs have withdrawn the said appeal by filing a memo in view of the mandate laid down by the Full Bench of this Court in ***Syed Bhasheer Ahamed*** (supra). The



defendants have no right, title or interest over the suit schedule property.

10. To substantiate their case, plaintiff No.1 was examined as PW1, he reiterated the plaint averments in the examination-in-chief and marked seventeen documents as Exs.P1 to P17 to show that the father of plaintiff Nos.1 and 2 had purchased the suit schedule property from the father of defendant Nos.1 and 2 under the registered sale deed dated 03.08.1968 and produced the copy of the registered sale deed marked as Ex.P1, which clearly discloses that, the father of defendant Nos.1 and 2 executed the registered sale deed in favour of the father of plaintiff Nos.1 and 2. The plaintiffs have also produced records to show that, the revenue records standing in the name of the plaintiffs marked as Exs. P2 to P9.

11. During the course of cross-examination of PW.1, it was suggested that the plaintiff was evicted by the



Tahsildar and the plaintiff is not in possession of the suit schedule property. The said fact has been denied by PW.1. The plaintiff also examined one witness as PW.2. But PW.2 did not tender for cross-examination. His evidence cannot be looked into. The plaintiff also produced the sale deed dated 03.08.1968 marked as Ex.P.1, Ex.P2 is the RTC extract from the 1978 to 1983, Exs.P3 to P9 are the RTC extracts from 1989-1990 till 2000-2001, Ex.P10 is the re-grant order dated 10.05.1990, and the said land was re-granted in favour of the father of defendant Nos.1 and 2, Ex.P11 is the certified copy of the order sheet, of Ex.P12 is the memo dated 16.08.1997, wherein the plaintiff has filed a memo for withdrawal of the appeal. The plaintiff, aggrieved by the order of re-grant, preferred an appeal before the District Judge. During the pendency of the appeal before the District Judge, the Full Bench passed an order in the case of **SYED BHASHEER AHAMED** (supra). In view of the order passed by the Full Bench of this Court, the plaintiff filed a memo before the District Judge to



withdraw the appeal. The petitioner has produced Ex.P13 eviction notice issued by the Tahsildar under the provision of Karnataka Village Officers Abolition Act, 1961 (for short 'the Act of 1961'). Ex.P16 is the statement of objections filed by the plaintiff, Ex.P17 is the endorsement wherein the objections filed by the plaintiff was rejected.

12. In rebuttal, one Narasimhamurthy was examined as DW.1 and he reiterated the written statement averments in the examination-in-chief. He has deposed that the said land is re-granted in favour of the defendants' father and by virtue of re-grant, the defendant is in possession of the suit schedule property. He also deposed that the plaintiff was evicted by the Tahsildar and produced the proceedings marked as Ex.D1, Ex.D2 is the eviction notice issued by the Tahsildar dated 13.06.1968, Ex.D3 is the proceedings in RRT CR 784/2000-2001, Ex.D4 is the compromise petition filed in the miscellaneous appeal, Exs.D5 to D10 are the RTC extracts from the year



1999-2000 till 2004-2005, which discloses that the names of the defendants are shown in column No.9, wherein the names of the plaintiffs are shown in column No.12.

13. From the perusal of the entire evidence on record, it is clear that the suit schedule property originally belongs to one Narasiyappa, who is the father of defendant Nos.1 and 2 and after his demise, sons of Narasiyappa sold the suit schedule property in favour of the father of plaintiff Nos.1 and 2 under a registered sale deed dated 03.08.1968. From the perusal of the recital of the registered sale deed marked as Ex.P1, which clearly discloses that the possession was delivered on the date of the execution of the registered sale deed. The defendants except producing the notice issued by the Tahsildar under the provision of the Act of 1961, the defendants have not produced any records to show an order of eviction was passed and the plaintiffs were evicted under said the provisions of the Act of 1961. The land was re-granted in



favour of the father of the defendants and there is a reference about the eviction of the plaintiffs from the suit schedule property. In support of the said contention the defendants have not produced any records to establish that an order of eviction was passed against the plaintiffs and the plaintiffs were evicted by due process of law. The Tahsildar has issued a notice for eviction as per Ex.D2.

14. In order to consider whether the eviction notice issued by the Tahsildar is valid, it is necessary to examine Section 7 of the Act of 1961, which reads as follows:

"7. Eviction of unauthorised holders etc.—(1)
Where any land resumed under clause (3) of section 4 is in the possession of an unauthorised holder such unauthorised holder shall be summarily evicted therefrom and the land shall be taken possession of by the Deputy Commissioner in accordance with law: Provided that no such summary eviction shall be made except after giving the person affected a reasonable opportunity of making representation.

(2) Any order of eviction passed under sub-section (1) shall be final and shall not be questioned in any court of law and no injunction shall be granted by any court in respect of any proceeding taken or about to be taken by the Deputy Commissioner in pursuance of the power conferred by sub-section (1).



(3) The land from which an unauthorised holder is evicted under sub-section (1) shall,- (a) if it was granted or continued in respect of or annexed to an inferior village office be regranted to the holder of such village office; and (b) in other cases be disposed of in accordance with the law applicable to the disposal of unoccupied unalienated lands."

15. From the bare reading of recording it is clear that the Deputy Commissioner is a competent authority to evict unauthorized holders and not the Tahsildar. Admittedly, the defendants have not produced any records to show that the Deputy Commissioner has initiated an eviction proceedings against the father of plaintiff Nos.1 and 2. Merely, there is a reference in the re-grant order. The First Appellate Court has committed an error in recording the finding that the plaintiffs have been evicted from the suit schedule property by the Tahsildar. Even assuming for the sake of arguments, if the contention of the learned Senior counsel appearing for the defendant is accepted, the proceedings initiated by the Tahsildar is without jurisdiction, as the jurisdiction is vested with the Deputy Commissioner under Section of the 7 of the Act of



1961. In the absence of an order of eviction alleged to have been passed by the Tahsildar, the First Appellate Court has committed an error in recording the finding that the plaintiff was evicted under the provision of the Act of 1961. Further, the RTC extracts disclose that the names of the plaintiffs are entered in column No.12 and names of the defendants are entered in column No.9. The land was re-granted in favour of father of defendant Nos.1 and 2. The defendants have not challenged the revenue records standing in the name of the plaintiffs in column No.12. As per proviso to Section 135 of the Karnataka Land Revenue Act, 1964, the defendants ought to have filed the suit challenging the entries in the revenue records. The defendants instead of filing the suit, approached the revenue authority. The said aspect was not considered by the First Appellate Court.

16. Further, the plaintiffs aggrieved by the order of re-grant, filed an appeal before the District Judge. During



the pendency of the appeal, the Full Bench of this Court in the case of **SYED BHASHEER AHAMED** (Supra), has held that "30(c) alienation of service Inam land between 1-2-1963 and 7-8-1978, by a holder or an authorised holder before re-grant, is not invalid, as he had a vested right to get re-grant and as there was no bar regarding alienation during that period; but the alienee will be a person with imperfect title entitled to continue in possession and when the land is re-granted to the alienor, the title obtained by the alienor will enure to the benefit of the alienee. 30(e) The alienee between 1-2-1963 and 7-8-1978 has no right to seek re-grant in his own name and his right is only to claim the benefit of doctrine of feeding the grant by estoppel as and when re-grant is made to his alienor under S. 5(1) or 6; and for this purpose he may support or pursue any application for re-grant in favour of his alienor".



17. Admittedly, in the instant case, the father of plaintiff Nos.1 and 2 purchased the property on 03.08.1968. The sale deed is saved in view of the proposition of laid down by the Full Bench in the case of **SYED BHASHEER AHAMED** (Supra).

18. Admittedly, the father of defendant Nos.1 and 2 sold the suit land in favour of the father of plaintiff Nos.1 and 2. Subsequently, as per Section 43 of the Transfer of Property Act, 1882, (for short, 'the Act of 1882'), which reads as follows:

"43. Transfer by unauthorised person who subsequently acquires interest in property transferred.—

Where a person fraudulently or erroneously represents that he is authorised to transfer certain immoveable property and professes to transfer such property for consideration, such transfer shall, at the option of the transferee, operate on any interest which the transferor may acquire in such property at any time during which the contract of transfer subsists.



Nothing in this section shall impair the right of transferees in good faith for consideration without notice of the existence of the said option."

19. Admittedly, as on the date of the execution of the registered sale deed, the father of defendant Nos.1 and 2 was in unauthorized occupation of the suit schedule property. On the basis of the registered sale deed executed in favour of the father of plaintiff Nos.1 and 2, the revenue authorities could have re-granted the land in favour of the father of plaintiff Nos.1 and 2. Subsequently, the revenue authorities have re-granted the land in favour of the father of defendant Nos.1 and 2. The plaintiffs have proved that they become owners in possession of the suit property. By virtue of Section 43 of the Act of 1882 doctrine of feeding the estoppel in the present case. The said aspect has not been considered by the First Appellate Court and also the proposition of law laid down by the Full Bench in the case of **SYED BHASHEER AHAMED** (Supra). Thus, the impugned judgment passed by the First



Appellate Court is arbitrary, capricious and same is liable to be set aside and is in contrary to the law declared by the Full Bench in the case of **Syed Bhasheer Ahamed** (supra).

20. There is no dispute in regard to the proposition of law laid down by the Hon'ble Apex Court in the case of of ***Vasantha (D) through Lrs vs. Rajalakshmi @ Rajam (D) through legal representatives*** reported in ***(2024) SCR 326***, wherein, it is held that mere suit for declaration without seeking consequential relief, suit is not maintainable. Admittedly, in the instant case, the defendants pleaded that they were evicted by the Tahsildar. As observed above, the Tahsildar has no authority to initiate eviction proceedings under Section 7 of the Act. The Deputy Commissioner is competent authority to initiate eviction proceedings under Section 7 of the Act. The proceedings initiated by the Tahsildar is non est. Further, order of eviction was not produced by the



defendants. Thus, the defendants failed to established that the plaintiffs have been evicted by due process of law.

21. Accordingly, I proceed to pass the following:

ORDER

- i. The Regular Second Appeal is ***allowed***.
- ii. The judgment and decree dated 03.07.2014 passed in R.A.No.17/2009 by the First Appellate Court is set aside.
- iii. The judgment and decree dated 14.11.2008 passed in O.S.No.618/2002 by the trial Court is restored
- iv. No order as to the costs.
- v. Pending application/s, if any, shall stand disposed of.

**Sd/-
(ASHOK S.KINAGI)
JUDGE**

PA, SSB