

**C.M.P.Nos.6754 and 6755 of 2019
in A.S.No.822 of 2019**

**M.M.SUNDRESH, J.,
and
R.N.MANJULA, J,**

[Order of the Court was made by *M.M.SUNDRESH, J.*]

These two petitions have been filed to implead the petitioner as a party respondent and to modify the order dated 06.12.2018 made in C.M.P.No.21650 of 2018 in A.S.No.822 of 2018.

2. Learned counsel appearing for the petitioner submitted that the petitioner is a requisition body and there is an arbitrary increase from Rs.8.80 per sq.ft. to Rs.500/- per sq.ft.

3. Though learned counsel for the second respondent raised objection, we are inclined to allow these petitions as the issue raised will have to be decided in the appeal. The petitioner is the requisition body and therefore it is entitled to be heard. The amount will have to be given only from the requisition body. Prima facie we are of the view that enhancement appears to be exorbitant. Further more, the petitioner being a statutory authority, there is no question of non-compliance that might arise after the judgment delivered by this Court.

**M.M.SUNDRESH, J.,
and
R.N.MANJULA, J,**
mmi/ssm

4.In such view of the matter, we are inclined to allow these petitions. Accordingly, the petitioner is impleaded as a party respondent and the order dated 06.12.2018 made in C.M.P.No.21650 of 2018 in A.S.No.822 of 2018 stands modified, deleting the condition imposed.

Post the appeal for final hearing on 17.08.2021.

(M.M.S., J.) (R.N.M., J.)
01.07.2021

mmi/ssm

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