



WEB COPY



A.No.4484 of 2023 in
CS.DR.No.52453 of 2022

R.N.MANJULA, J.

The suit has been filed seeking for the following reliefs:

(a) directing the 1st defendants to pay a sum of Rs.95,82,000/- and interest at the rate of 12% per annum from 11-11-2020 to 17.05.2022 Rs.17,38,936 altogether a sum of Rs.1,13,20,936/- along with interest at the rate of 12% per annum to the plaintiff till the date of realising the amount failing which create a charge over the suit.

(b) Grant permanent injunction restraining the defendant, his men agent, servant or anybody, in any manner, from making any alteration, any sale or alienation or making any encumbrance or dealing with the plaintiffs 1/6th share of the suit schedule property

(c) Grant permanent injunction restraining the defendant, his men agent or anybody in any manner interfering with peaceful possession and enjoyment of the plaintiffs 1/6th share in connection with the suit property

and in which the government parties have been impleaded as defendants 2 and 3. In view of the same, the applicant / plaintiff has also filed an application to dispense notice under Section 80 CPC as against the defendants 2 and 3.



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jrs

2. Since the dispute is between two private parties, the government defendants themselves are not necessary. However, the learned counsel for the petitioner has chosen to exonerate defendants 2 and 3 and the permission to exonerate them is granted, defendants 2 and 3 are exonerated.

4. Since the government defendants 2 and 3 themselves have been exonerated, the application that has been filed to dispense notice under Section 80 CPC is unnecessary and infructuous. Hence, this application is closed as infructuous. So the Registry is directed to take the suit on file if it is otherwise in order.

05.09.2023

jrs

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