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in C.S.No.262 of 2022

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R.N.MANJULA, J.

This Original Application has been filed to grant an order of interim injunction restraining the respondents / defendants from interfering with the smooth celebration of Dwajaroohan flag hoisting function to be held on 10.06.2023 as well as handling over the Dwaja after the flag was dehoisted following the modalities that may be worked out by the Trust for handing over the Dwaja and such other functions, either by indulging in violence or by any other means, pending disposal of the above suit.

2. Heard both sides.

3. It is submitted by the learned counsel for the first respondent that after the flag hoist, the flag was retained by the applicant / plaintiff and it ought to have been returned to the first respondent. But that is not the issue that should be taken into consideration in this application.

4. With regard to the maintenance of the old flag, this Court has already passed the following order on 08.06.2023:



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“ 3. As regards to the old flag, the same shall be kept in a sealed box inside the temple and shall be subject to the result of the Application.”

5. So the final order as to the entitlement of the party to retain the flag can be dealt only in the suit if aggrieved party intends to seek leave and file any additional pleadings and request the Court to frame an issue on the same.

6. As far as this Original Application is concerned, the same has become infructuous in view of the lapse of the date of flag hoisting function which was held on 10.06.2023.

7. Hence, this Original Application is dismissed as infructuous.

17.07.2023

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