IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 7TH DAY OF JANUARY, 2025

BEFORE

THE HON'BLE MR JUSTICE R.NATARAJ

WRIT PETITION NO.202249 OF 2021 (GM-CPC)

BETWEEN:

SHAHEDA BEGUM
W/O AMJAD HUSSAIN,
AGE: 48 YEARS,
OCC; AGRICULTURE AND HOUSEHOLD,
R/O H.NO. 1-10-105,
AZAD NAGAR, RAICHUR-584101.

...PETITIONER
(BY SRI. CHAITANYAKUMAR CHANDRIKI, ADVOCATE)

AND:

1. G. TIMMAREDDY GOUDA
   S/O G.BASAVARAPPA GOUDA,
   AGE: 50 YEARS, OCC: AGRICULTURE,
   R/O H.NO.7-6-297/1,
   JAWAHARNAGAR, NEAR TELEPHONE EXCHANGE
   COLONY, RAICHUR-584101.

2. K. NAZEER BASHA S/O K.BASHA
   AGE: 32 YEARS, OCC: BUSINESS,
   R/O H.NO.1-4-88/291,
   TELEPHONE EXCHANGE COLONY,
   RAICHUR-584101.

3. N SHIVAKUMAR S/O C. JAMBANNA
   AGE: 47 YEARS, OCC: AGRICULTURE,
   R/O H.NO.3-11-19/2,

Digitally signed by RENUKA
Location: High Court Of Karnataka

NAVARANG DARWAZA ROAD,
RAICHUR-584101.

4. M. VENUGOPAL RAO S/O M BHEEMALINGAPPA
AGE: 52 YEARS, OCC: BUSINESS,
R/O KANNARI BUILDING,
NEAR POLICE QUARTERS,
POLICE COLONY, SINDHANUR,
DIST.RAICHUR-584101.

5. VIRPANGOUDA S/O NARASANGOUDA
AGE: 46 YEARS, OCC: AGRICULTURE,
R/O KANNARI BUILDING,
NEAR POLICE QUARTERS,
DIST.RAICHUR-584101.

…RESPONDENTS

(V/O DATED 27.11.2023, NOTICE TO R-1 IS HELD SUFFICIENT;
SRI. SHIVANAND PATIL, ADVOCATE FOR R-2;
R-3 AND R-5 SERVED)

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE A WRIT IN THE NATURE OF CERTIORARI THEREBY QUASHING THE IMPUGNED ORDER DATED 23.08.2021 PASSED BY THE I ADDL. SENIOR CIVIL JUDGE AND JMFC AT RAICHUR IN MA NO. 11/2021 AS AT ANNEXURE - G TO THE PETITION.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR JUSTICE R.NATARAJ

ORAL ORDER

Learned counsel for the petitioner submits that the suit, out of which present writ petition arises, was dismissed for default. He therefore submits that this writ petition does not survive for consideration at present.

2. In that view of the matter, the writ petition is disposed off as it does not survive for present. However, liberty is reserved to the petitioner to file appropriate petition, in the event, the suit before the Trial Court is restored to file.

Sd/-
(R.NATARAJ)
JUDGE

NJ
LIST NO.: 1 SL NO.: 7
CT:SI