

ITEM NO.4 Court 4 (Video Conferencing) SECTION IV-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 5629/2020

(Arising out of impugned final judgment and order dated 11-11-2019 in RFA No. 743/2007 passed by the High Court Of Karnataka Circuit Bench At Dharwad)

PRAKASH & ORS.

Petitioner(s)

VERSUS

PHULAVATI & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.54376/2020-EXEMPTION FROM FILING O.T. and IA No.54379/2020-EXEMPTION FROM FILING AFFIDAVIT and IA No.54377/2020-EXEMPTION FROM FILING PAPER BOOKS and IA No.54375/2020-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

IA No. 54379/2020 - EXEMPTION FROM FILING AFFIDAVIT

IA No. 54376/2020 - EXEMPTION FROM FILING O.T.

IA No. 54377/2020 - EXEMPTION FROM FILING PAPER BOOKS

IA No. 54375/2020 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

WITH

SLP(C) No. 5904/2020 (IV-A)

(IA No.42060/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 42060/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 06-01-2021 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR

HON'BLE MR. JUSTICE KRISHNA MURARI

For Petitioner(s)

Mr. S. N. Bhat, AOR

For Respondent(s)

Mr. Vinay Navare, Sr. Adv.

Mr. Shashibhushan P. Adgaonkar, AOR

Mr. Gagandeep Sharma, Adv.

UPON hearing the counsel the Court made the following
O R D E R

We dispose of these Special Leave Petitions with liberty to the petitioners to approach the High Court by way of Review Petition as the principal grievance before us is that the High Court has mixed up relevant facts to come to a conclusion and to reverse the finding of fact recorded by the Trial Court in that regard.

Without expressing any opinion on the merits of this contention as aforesaid, we are disposing of these Special Leave Petitions with liberty to the petitioners to approach the High Court by way of Review Petition and if the Review Petition is decided against the petitioners, it will be open to the petitioners to challenge the said decision as well as the impugned judgment by way of fresh Special Leave petition before this Court.

Review Petition, if filed, within four weeks from today, the High Court may entertain the same as if filed in time despite the delay in filing the same, in terms of this order.

All contentions available to the parties are left open.

Needless to observe that considering the fact that the parties are senior citizens, the Review Petition be

decided expeditiously.

Pending applications, if any, stand disposed of.

(DEEPAK SINGH)
COURT MASTER (SH)

(VIDYA NEGI)
COURT MASTER (NSH)