

Karnataka High Court  
Syed Wazir vs Noor Jahabegam on 17 February, 2010  
Author: Ravi Malimath

IN THE HIGH COURT OF KARNATAKA AT

DATED THIS THE 17<sup>th</sup> DAY of FEBRUARY 2010.

BEFORE A

THE HON'BLE MR. JUSTICE RAVI MALIMATH

WRIT PETITION AN/C.R. 134 of 2010

BETWEEN; H & 'S

Syed Wazir :. ' ' ..  
S/O Abid.I.T.I.O, i~f'fussa:3'I:;S.ab--».\_  
Aged about 58;»yea':s, ,

Retired\_\_ POE I ce. :2! I C o>n'S--tTa"b--Ee, ' ,

Door No-.237, 1"\*\_Ni'a0jm\_ , ~  
Chamaraj'pe\_t;T V . =  
Bangalore ---"S€\_30 01-8.

A.ND;i\_ '

.....».

Noor"}':ahaBegam

' .. VOW/ofidohammed Shariff

\_ Aged about 60 years.

Aslampasha,

7 S/o Mohammed Shariff  
Aged about 40 years.

...PETITIONER

I\_A(f3\ /r/5:71;-3.:Geetha"C[V';"?or Sr? B.K.Manjunath,  
'Adyoca\_te.s.)\_

» 1"--»iéiVoiavagriagha!\_ |i Hobii,  
' \_r.K0'."§§§\_e'I'F3:'Tva:i~uk. ...RESPONDENTS

6 --R7--" Sgerxged) Wpassed by the Civii Judge (Sr.Dn.) Madhugiri on I.A.No..4 in V O.S.l\£o.91/01 dated 09.04.2008 vide Annexure~E.

3. Javid Pasha S/o Mohammed Shariff Aged about 38 years.

4. Yekbai Pasha S/o Mohammed Shariff 1 Major.

5. Shamsad D/o Mohammed Shariff Aged about 36 years,

6. Shahin "

D/o Mohammed Shar\_ifVf"

Aged about .33; .years.

Au are aj::'si'd.i\_\_ng...i.r5\_ Doe; 1\£o.\_3/.22,Mauraf5p;a..\_Bi~:f§;iV<.v' " Nandi Du'rgia, Ro'ad, \_\_ « Ban'ga|'--ore- '

7. Venkaut"a..ran3aia\_hoVV: " S,/o. \/en k"aii\_ashyam'aprja .Ai~gedi"about 6o. years, "'Resi»-o"ing' at Kodiahaiiii, (Biyafisri I.<§\_<i::§:iaoi.akrishna, Advocate for R1 to R6, >§<\*>l< :o' This Writ Petition is filed under Articies 226 & 227 of the Constitution of India praying to set aside the order e ./es deceased Abdul Kareem was not married he had \_4n..o\_i\*-l.4eg\_ai heirs. He, therefore defends the impugned ord\_er:." f

4. Heard both counsels.

5. The trial Court whiie rejec\*t\_i'ng the.a\*p.piicV&§:ti@Vn"~ came to the conclusion En" nthie,j'earEier"" suit O.S.No.22/1997 the said. \_Abdru'E""Kasf§ei'r2\_. \_hadconsented for the decree. Hence, there' iss\_'no'fQfv'b'r\_inging the LRS on record. Itifurtheri; canigg t¢Q"«..}Ch,3v« conclusion that the presentapfb'lifcat\_ion.i::'i.s'fi.l4ed.r\_to dradffon the proceedings.

6. if in support 'application for impleadment it is stated\_.that t»he"□robosed defendants are the legal heirs E""dece'a\_\$ed Kareem. The affidavit would is a semblance of a right which the probosed' 'defendants seek to agitate before the Court. By : "allQwing' »«- the apphcation the rights or otherwise of the .5'res';.\*ohdents~defendants would not be affected in any ..manner.

<><€/Kr-~