

THE WRIT PROCEEDINGS RULES, 1977

THE WRIT PROCEEDINGS RULES, 1977
HIGH COURT OF KARNATAKA, BANGALORE.
NOTIFICATION

R.P.S. No. 16/1977 dated 29th January, 1977. (KGD 3.2.1977)

By virtue of ¹[Articles 226 and 227] of the Constitution and all other powers thereunto enabling and in supersession of the existing rules, the High Court of Karnataka makes the following Rules to regulate proceedings under ¹[Article 226 and 227] of the Constitution:-

- (1) These rules may be called 'The Writ Proceedings Rules, 1977'.
- (2) These rules shall come into force on the 1st day of February, 1977.

1. Substituted by Notification No. RPS No. 120 of 1979 dtd. 13.7.1979 w.e.f. 1.8.1979.

PART - I

¹[2. (1). Every petition under Article 226 and/or Article 227 of the Constitution shall be designated as "Writ Petition" and shall be in Form No. I appended to these rules.

(2) Every petition under Articles 226 and/or Articles 227 of the Constitution shall set forth succinctly, in chronological order and in consecutively numbered paragraphs, all the relevant facts which have given occasion to the petition, the grounds in support of the petition and the relief claimed.

(3) In the petitions referred to in sub-rules (1) and (2), the petitioner shall state whether any other remedy for such redress is provided for/by or under any other law for the time being in force and whether that remedy has been availed of, and if so with what result.

²[(3a) In every Memorandum of Writ Petition the petitioner shall state as to whether he or any person through whom he claims had presented a Writ Petition on the same cause of action earlier and if so with what result.]²

³[(3b) Along with the Petition, list of dates in chronological order with relevant material facts or events pertaining to each of the dates shall be furnished in the form of synopsis.]³

(4) The Petitioner shall state, if the Writ Petition involves the constitutional validity of,-

- (i) a State Law;
- (ii) Central Law; or
- (iii) Central and State Law.]¹

1. Substituted by Notification No. RPS No. 120 of 1979 dtd. 13.7.1979 w.e.f. 1.8.1979.

2. Inserted by Notification No. HCE 728 of 1988 dt. 12.9.1988 w.e.f. 22.9.1988

3. Inserted by Notification No. RPS 22 of 2005 dt. 12.4.2005 w.e.f. 23.5.2005

⁴[(5) Provisions of Rule 5 Chapter VI and Rule 8 and Rule 10 of Chapter X of the High Court of Karnataka Rules, 1959, shall apply to this part also.]⁴

4. Inserted by Notification No.HCLC No.84/2019 dated 15.06.2019 w.e.f. 02.04.2020

¹**[2-A. Classification of Writ Petitions : -** Writ Petitions filed on or after the 1st day of January 1981, shall be classified and the classification shall be indicated in the designation in the manner given below:

Classification

Indicating Letters

(i) All the Writ Petitions ²[barring]² W.Ps relating to Habeas Corpus Petitions, shall be registered with continuous serial numbers without any reference to classification at the time of Registration. W.P.

(ii) Writ Petitions seeking the issue of Writ in the nature of Habeas Corpus.

W.P.(Habeas)

³[(iii) x x x]

(iv) x x x

(v) xxx]³¹

1. Added by by Notification No. RPS No. 130 of 1980 dtd. 14.11.1980 w.e.f. 1.1.1981 KGD 4.12.1980.

2. Substituted by Notification No. RPS 130 of 1980 dt. 9.1.1981 KGD 22.1.1981.

3. Omitted by Notification No. RPS 130 of 1980 dt. 15.1.1981 w.e.f. 12.2.1981.

3. Every petition under ¹[Article 226 and/or Article 227]¹ of the Constitution shall be signed by the petitioner or his Advocate who shall also sign or put his thumb mark at the foot of every page of the petition. The petition shall be supported by an affidavit in Form No. II appended to these Rules and shall be drawn up in the first person and shall state the name, father's name, age and address of the deponent; the affidavit shall be confined to the verification of the facts set out in the petition and shall specifically indicate by reference to the paragraph numbers in the petition, as to what facts are verified from the knowledge of the deponent and what facts from the information and his belief and shall also contain a statement to the effect that the copies of the documents, if any produced along with the petition are true copies of the originals.

1. Inserted by Notification No. RPS No. 120 of 1979 dtd. 13.7.1979 w.e.f. 1.8.1979.

INTERIM RELIEF

¹**[4.** The petitioner may seek interim relief in the main petition itself and in every main petition where there is a prayer for an ad Interim Stay or injunction against the Union of India or any State Government or any of its authorities, a copy of such application shall be served upon the standing Counsel/Advocate, for the Union of India or the concerned State Government before the matter is listed in Court, except when the Court otherwise directs].¹

1. Substituted by Notification No. LCA-I 313 of 1991 dt. 10.8.1992 w.e.f. 20.8.1992

5. Objections to a petition under ¹[Article 226 and/or Article 227]¹ of the Constitution and a reply thereto, if filed, and every interlocutory application in a writ petition, shall be in the same manner as specified in rule 2 to the extent applicable, shall be signed in the same manner as specified in rule 3 and shall be supported by an affidavit.

1. Inserted by Notification No. RPS No. 120 of 1979 dtd. 13.7.1979 w.e.f. 1.8.1979.

6. (a) Every annexure produced by the petitioner along with the writ petition shall be marked in the alphabetical order, namely, as annexure “A”, annexure “B”, and so on (omitting the alphabet ‘I’) and the marking shall be continued in respect of all additional annexures produced subsequently, along with the reply interlocutory applications, etc.

(b) Every annexure produced by each of the respondents along with the objections shall be marked in the numerical order, namely as annexure ‘1’, annexure ‘2’ and so on, and the numbering shall be continued in respect of all additional annexures produced by that respondent subsequently along with the interlocutory applications or additional affidavits, etc.

(c) The office of the High Court shall give continuous page numbers to all the papers filed subsequent to the filing of the writ petition as and when they are filed, and arrange them in the order in which they are filed and shall prepare a consolidated index of all the papers before posting the case for hearing.

¹“7. PROCEDURE FOR FILING COMMON OR JOINT PETITIONS:-

(1) Several persons having similar but separate and distinct interest in the subject matter of controversy involving common questions of law and facts may file a common petition. Such a petition shall be treated as equivalent to the filing of such number of writ petitions as there are petitioners. The court fee payable on such writ petition shall be the same as payable on the number of writ petitions, when filed separately. For all other purposes, such as issue of notice etc., it shall be treated as one writ petition. Such common writ petition shall be in Form No. III appended to these rules and shall be supported by the affidavit of any one of the petitioners as in Form No. II. For such common petition one Vakalat with one set of Court Fee Stamp shall be sufficient.

(2) Several persons having common or joint interest but not seeking any individual relief, interim or final, may file a single petition”.]

1. Rule 7 substituted by Notification No. HCLC No.84/2019 dtd.15.06.2019 w.e.f.02.04.2020

²[Explanation x x x x

Proviso x x x]²

2. Deleted by Notification No. RPS No. 101 of 1980 dtd. 29.9.1981 w.e.f. 1.10.1981

8. Whenever a writ petition is directed to be posted before a Bench of two or more judges, the petitioner shall also file additional copies of the writ petition together with the affidavit and the annexures thereto, as there are number of Judges on the Bench.

9. Every petitioner for issue of a writ in the nature of certiorari seeking to quash an order of any authority shall be accompanied by a certified or authenticated copy of the order sought to be quashed and where the proceedings have taken place before more than one authority, shall be accompanied by certified or authenticated copies of the order of all such authorities.

10. Where the petition is for the issue of a writ of any other nature or any order direction, the petition shall be accompanied by the order, notice or proceedings in original or a certified or authenticated copy thereof which gave cause for or is the subject matter of the petition.

11. The Court may on application made by the parties for that purpose, dispense with the production of any of the papers required by rules 9 and 10, on such terms and conditions as it may deem fit.

12. ¹[(1)]¹ Every writ petition after it has been admitted to register shall be posted before the appropriate Bench for preliminary hearing:

1. Substituted by Notification No. LCA-I 313 of 1991 dt. 10.8.1992 w.e.f. 20.8.1992

¹[(2) In every Writ Petition where an application is filed for an ad Interim Stay or injunction against the Union of India or any State Government or any of its authorities, a copy of such application shall be served upon the Standing Counsel/Advocate for the Union of India or the concerned State Government before the matter is listed in Court, except when the Court otherwise directs]¹

²[(3) “In any Writ Petition or Writ Appeal, where High Court is a party-(respondent), a copy of such application, writ petition or writ appeal, shall be served in advance upon the Registrar General, High Court of Karnataka before such application, petition or writ appeal is registered and taken up for hearing by the Court.”

1. Inserted by Notification No. LCA-I 313 of 1991 dtd. 10.8.1992 w.e.f. 20.8.1992

2. Sub rule (2) inserted by Notification No. HCLC No.61/2018 dated 27.09.2018 w.e.f 08.11.2018

¹[x x x]¹

1. Deleted by Notification No. RPS 16 of 1977 dtd. 20.4.1978 w.e.f. 29.6.1978.

¹**[13.** Upon the hearing,-

(a) the Court if satisfied, shall direct a rule nisi to the respondent calling upon him to show cause why the order sought should not be made, and shall adjourn the hearing for the respondent to appear and for being heard :

(i) Provided that, where the Court deems fit, it may before directing issue of a rule nisi, direct notice to the respondent to show cause why rule nisi should not be issued ;

(ii) Provided, further, that when a notice is issued to show cause why rule nisi should not be issued, the Court may direct the respondent to file objection and documents, if any, in accordance with Rule 21.

(b) In the event of a direction in accordance with proviso (ii) the issue of rule nisi may be dispensed with and the matter may be heard and disposed of on merits.]¹

1. Substituted by Notification No. HCE 618 of 1990 dt. 29.8.1990 w.e.f. 13.9.1990

¹[14. x x x x]¹

1. Omitted by Notification No. RPS 120 of 1979 dtd. 13.7.1979 w.e.f. 1.8.1979.

15. ¹[(1)]¹ Unless otherwise directed by the Court, the petitioners shall pay the process fee and supply as many copies of the petition, the affidavit in support thereof and all the annexures thereto, as there are respondents by the day succeeding the date of the order directing issue of notice.

¹[(2) Notwithstanding anything contained in sub-rule(1) above in all matters in which the Court directs the issue of notice to the Union of India or to any State Government or to any of its authorities, the petitioner/appellant shall specify the proper department of the Union of India or the State Government as the case may be, on whom the notice is required to be served. The notice shall be served on the appropriate department and additionally on the Standing Counsel/Advocate of the Union Government or the State Government concerned alongwith a copy of the petition with its annexure. In addition to the usual mode of Service, the petitioner may make a request to the Registrar, for service by hand delivery on the appropriate department and Standing Counsel/Advocate. The Standing Counsel/ Advocate of the Union of India or the State Government concerned shall obtain necessary instructions from the appropriate department or authority].¹

1. Substituted by Notification No. LCA-1 313 of 1991 dtd 10.8.1992 w.e.f. 20.8.1992

¹ [16. x x x x x]¹

1. Rule 16 omitted by Notification No.HCLC No.84/2019 dtd.15.06.2019 w.e.f 02.04.2020

¹[**17.** (1) The notice to be issued to the respondent/s upon the making of the order of rule nisi shall be in Form IV of these Rules. The copy of the rule nisi granted together with copies of the petition, the affidavit in support thereof and annexures there shall be served on the respondent/s, if not already served by the petitioner or his Advocate.

(2) The respondent/s shall, if directed, produce in Court on the date of appearance all the records, orders and documents, touching the matter in question which are in his/their custody or power]¹

1. Substituted by Notification No. HCE 618 of 1990 dt. 20/22.12.1990 w.e.f. 27.12.1990

18. ¹[(1)]¹ A party against whom an ex-parte order has been made shall be entitled to apply to the Court to discharge or vary the said order after giving notice to the party or parties who are likely to be affected by such order of discharge or variation. Such notice may be served on the Advocate for the parties.

¹[(2) Every application made under sub-rule (1) shall be posted for orders before the Court as early as possible, but not later than three days from the date of presentation.]¹

1. Substituted by Notification No. RPS No. 120 of 1979 dtd. 13.7.1979 w.e.f. 1.8.1979.

19. Whenever an ex-parte interim order made in a writ petition is required or directed to be served on any person or authority not impleaded as a party to the petition, a copy of the order to be so served shall be accompanied by a copy of the petition, affidavit and the annexures thereto. The party obtaining the direction or order from the Court for service of such order on a person or authority other than the one impleaded in the writ petition, shall file into Court for service on such person or authority the copies mentioned above.

20. When a party to the petition files any additional document, into Court which he wishes to rely upon in support of his cases he shall file along with the memorandum accompanying the documents an acknowledgment from the Advocate appearing for the opposite side that copies thereof have been served upon him.

21. (1) Answer if any to the rule nisi showing cause against such petition shall be made by filing into Court objections supported by an affidavit within fourteen days after the expiry of the time fixed for appearance or such earlier time as the Court may direct, and reply to the objections supported by an affidavit, may be filed by the petitioner within one week of service of a copy of the objections on him or such earlier time as the Court may direct. The reply shall not raise any new ground in support of the writ petition.

(2) Copies of the objections or reply shall be served on the opposite party or parties or their Advocates and the objections of reply shall not be received unless they contain an endorsement of service signed by such party or parties or their Advocates.

(3) No further statement or affidavit shall be filed by any party except with the leave of the Court.

22. The Court may, in its discretion, at any time before a final order is made on the petition, order the rule nisi to be served on any person who in the opinion of the Court is likely to be affected.

23. (1) Costs in the writ petitions shall be in the discretion of the Court. When costs are awarded to any party such costs shall include Court fee paid on the petition, the Vakalat and other documents filed with the petition, costs of making copies of paper books either for use of the Court or for service on other parties and Advocate's fees. Costs when awarded shall include Advocate's fee of Rs.100 unless otherwise ordered.

(2) If costs awarded are not paid, the party entitled to receive the same may apply to the Court whereupon the Court may transmit the order in the writ petition to any subordinate Court for execution and such subordinate court shall proceed to execute the same in the manner prescribed for execution of decrees of that Court.

24. Where a rule nisi is granted in a writ petition impugning the constitutional validity of a State Law, notice of the petition shall be issued to the Advocate General for Karnataka:

Provided that no such notice need be issued if the State Government is a party to the petition.

¹[**24A.** No person who has presented a Writ Petition, in which public interest is involved shall be entitled to withdraw the writ petition except with the leave of the Court.]¹

1. Inserted by Notification No. HCE 728 of 1988 dtd. 12.9.1988 w.e.f. 22.9.1988.

PART - II

25. (1) The Rules contained in this part shall apply to petitions seeking the issue of a writ in the nature of habeas corpus and shall as far as may be read as supplemental to the rules contained in Part I of these Rules.

(2) A petitioner seeking the issue of a writ in the nature of habeas corpus, shall file into Court a petition supported by an affidavit:

Provided that when a petitioner is under restraint, the Court may, in its discretion, treat any written representation by him, sent by post or otherwise, as a petition and dispense with an affidavit.

(3) A petition seeking the issue of a writ in the nature of habeas corpus shall be posted before a Bench of two Judges for preliminary hearing. Upon the hearing the petitioner or his Advocate, if he appears, the Bench, if satisfied, shall direct a rule nisi to issue to the respondent against whom the order is sought, calling upon him to appear on a date to be fixed therein to show cause why the order sought should not be made and may also further direct him to produce in Court the person or persons alleged to have been illegally or improperly detained, to be dealt with according to law.

(4) On the date fixed for hearing or on any subsequent date to which the hearing thereon may be adjourned, the Court shall dispose of the petition.

(5) An order for release made by the Court under the preceding rule shall be sufficient warrant to any Jailor, public authority or other person for the release of the person under restraint.

¹[(6) The detinue shall be supplied free of cost a copy of final order made by the Court under sub-rule (4) above.]¹

1. Inserted by Notification No. HCE 880 of 1987 dt. 16.12.1987 w.e.f. 24.12.1987.

PART - III

26. Every appeal filed from an order passed by a Single Judge on a writ petition shall be designated as "writ appeal".

27. Every writ appeal shall be preferred in the form of a memorandum signed by the appellant or his Advocate as per Form No.V appended to these Rules and shall be accompanied by a certified copy of the order appealed from, unless the Court dispenses with the production of such copy. All the paragraphs therein shall be consecutively numbered and the memorandum shall contain the following particulars:-

(i) The name and description of the parties to the appeal and their respective ranks in the original proceedings and in appeal.

(ii) The address for service of the parties and that of the appellant's Advocate at Bangalore.

(iii) The date of the order and the number of the writ petition out of which the appeal arises.

(iv) A concise statement of the facts which gave rise to the original proceedings and how they terminated.

(v) The ground in support of the appeal.

(vi) A list of authorities upon which the appellant relies together with a brief statement of the propositions of law for which the authorities are relied on.

28. The appellant seeking any interim order shall file an interlocutory application for the said purpose, supported by an affidavit. In other respects, '[rule 18]' of Part I shall mutatis mutandis apply.

1. Substituted by Notification No. RPS No. 120 of 1979 dtd. 13.7.1979 w.e.f. 1.8.1979.

29. The appellant shall unless otherwise directed by the Court, file into Court two paper books containing copies of:

- (i) the memorandum of appeal;
- (ii) the order appealed from; and
- (iii) the pleadings and annexures.

30. Every writ appeal after it has been registered and numbered shall be posted before a Bench consisting of not less than two Judges other than the judge from whose order the appeal is preferred, for preliminary hearing. Upon hearing the appellant or his Advocate, if he appears, the Court may dismiss the appeal or direct issue of notice to the respondent. The notice shall be in Form No.VI appended to these Rules.

31. Upon directing issue of notice to the respondent, the Court may, if it thinks fit, grant such interim relief to the appellant upon such terms as it may consider just and proper. '[xxx]'

1. Omitted by Notification No. RPS No. 120 of 1979 dtd. 13.7.1979 w.e.f. 1.8.1979.

32. When notice is directed to be issued on any writ appeal, such notice may be served on the Advocate if any, who appeared for the respondent in the original proceedings in the High Court. In all other cases notice shall be issued to the respondent:

Provided that where any respondent remained ex-parte in the original proceedings after service of notice, the Court may dispense with the service of notice to such respondent.

33. When notice is directed to be issued to the respondent in any writ appeal, the appellant shall unless otherwise directed by the Court-

(a) Within three days, pay the process-fee and supply as many copies of the appeal memorandum as there are respondents:

Provided that if any respondent had been represented by an Advocate in the original proceedings in the High Court, such notice may be served on him;

(b) Within two weeks, file into Court, as many paper books as there are respondents, unless otherwise directed. Each respondent or his Advocate on entering appearance shall be entitled to obtain one copy.

¹[**34.** The provisions of rule 18 shall apply mutatis mutandis, to applications filed for varying or discharging any ex-parte interim order passed in a Writ Appeal]¹.

1. Substituted by Notification No. RPS No. 120 of 1979 dtd. 13.7.1979 w.e.f. 1.8.1979.

35. Where the appellant fails to take necessary steps to prosecute the appeal in accordance with these Rules, the matter shall be placed without delay before the Court for orders.

36. Appeal against common order on several writ petitions.- The provisions of rule 7 shall, mutatis mutandis apply to appeals filed from a common order.

37. The provisions of rule 23 shall, mutatis mutandis, apply to costs in writ appeals.

38. The provisions of rule 24 shall, mutatis mutandis apply to writ appeals, provided that no notice need be issued to the Advocate General if after service of notice under rule 24 he has not entered appearance in the writ petition.

¹[**38A.** The provisions of rule 24-A shall, mutatis mutandis, apply to Writ Appeals]¹

1. Inserted by Notification No. HCE 728 of 1988 dt. 12.9.1988 w.e.f. 22.9.1988

PART - IV

39. Application of the High Court of Karnataka Rules, etc.- The provisions of the High Court of Karnataka Rules, 1959, the rules made by the High Court of Karnataka under the Karnataka Court Fees and Suits Valuation Act, 1958, and the provisions of the Code of Civil Procedure, 1908, shall apply, as far as may be, to proceedings under ¹[Article 226 and/or Article 227]¹ and writ appeals in respect of matters for which no specific provision is made in these rules.

1. Substituted by Notification No. RPS No. 120 of 1979 dtd. 13.7.1979 w.e.f. 1.8.1979.

FORM NO. I

Rule 2(A)

FORM OF WRIT PETITION

RULE 2(A)

IN THE HIGH COURT OF KARNATAKA, BANGALORE

Original Jurisdiction

WRIT PETITION NO. OF 20

Between

AB

(Address.....etc) ... Petitioner/s

And

CD

(Address.....etc) ... Respondent/s

Petition under Article

Constitution of India

The petitioner above named states as follows:-

1. (Set out all the facts which have given occasion to the Writ Petition. If any orders or provisions of Law are impugned in the writ petition, they shall be expressly referred to).
2. (Set out the grounds in support of the Writ Petition under the heading Grounds).
3. (Set out the grounds in support of Interim Relief, if any).

Wherefore the petitioner prays.....(Set out the relief sought in the petition and also the interim relief, if any).

Bangalore.

Petitioner/Advocate for Petitioner.

Dated:

Advocate for petitioner.

Address of the Petitioner's Advocate for service of notice, etc.

FORM No. II

[Rule-3]

Affidavit verifying the petition

I,.....son ofaged aboutyears, residing atdo hereby solemnly affirm and state as follows:-

1. I am the petitioner in the above petition. [if he is not petitioner but someone else swearing to an affidavit on behalf of the petitioner, state his authority and/or competence to do so].
2. The statements made in paragraphs.....of the petition accompanying this affidavit, are true to my knowledge and the statements made in paragraphsthereof are based on information and I believe them to be true.
3. I state that exhibitsproduced are true copies of the originals.

Bangalore,

Dated:

Deponent.

¹[FORM II-A

(Rule)

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

Writ Petition No. /20

(Notice under Rule 13(a) proviso)

Petitioner,

(By Sri.....)

Respondents:

To

Respondent No.

Whereas a writ Petition filed by the above named petitioner under Article 226 of the Constitution of India, as in the copy annexed hereunto, has been registered by this Court.

Notice is hereby given to you to appear in this Court, in person or through an Advocate duly instructed or through some one authorised by Law to act for in this case, at 10-30 a.m. in the forenoon, on the day of 20..... show cause why rule *nisi* should not be issued.

It is ordered that you shall also file your Counter on merits and produce documents in your defence in accordance with Rule 21 of the Writ Proceedings Rules, 1977.

If you fail so to appear on the said date or any subsequent date to which the matter may be posted as directed by the Court, without any further Notice, the petition will be dealt with, heard and decided on merits in your absence.

Issued under my hand and the seal of this Court, this day of20...

By order of the Court,
Assistant Registrar

1. Form IIA inserted by Notification No. HCE 618 of 1990 dt. 29.8.1990 w.e.f. 13.9.1990.

INTERIM ORDER

Pending issue of rule nisi in the aforesaid writ petition, it is hereby ordered by this court on (By Hon'ble Mr. Justice that

Issued under my hand and the seal of this Court, this day of20....

By order of the Court,
Assistant Registrar

¹[FORM III – A
IN THE HIGH COURT OF KARNATAKA,
AT BANGALORE

Writ Petition No.: /20

(Notice under Rule – 13 (a) proviso)

Petitioner:

(By Sri)

Respondents:

To

Respondent No:

Whereas a Writ Petition filed by the above named petitioner under Article 226 of the Constitution of India, as in the copy annexed hereunto, has been registered by this Court:

Notice is hereby given to you to appear in this Court, in person or through an Advocate duly instructed or through some one authorised by law to act for you in this case, at 10-30 a.m., in the forenoon (strike of whichever is inapplicable), on the day of 19/ within 10 days/5 days of the service of this notice to show cause why rule nisi should not be issued.

You shall produce in Court, on the date of appearance on the records, orders and documents touching the matters in question which are in your custody or power.

(The above portion to be struck off, if there is no direction by Court to call for records)

If you fail so to appear on the said date or any subsequent date to which the matter may be posted as directed by the Court, without any further Notice, the petition will be dealt with, heard and decided on merits in your absence.

Issued under my hand and the seal of this Court, this day of 20.

By Order of the Court,

Assistant Registrar.

INTERIM ORDER

Pending issue of Rule nisi in the aforesaid Writ Petition, it is hereby ordered by this Court on (By Hon'ble Mr. Justice that
.....

Issued under my hand and the seal of this Court this
..... day of20

By Order of the Court,
Assistant Registrar.

1. Form III-A Inserted by Notification No. HCE.618 of 1990 dt. 20/22.12.1990 w.e.f. 27.12.1990

¹[FORM No. IV

Notice to Respondent on an order of rule nisi.

[Rule 17]

IN THE HIGH COURT OF KARNATAKA AT BANGLORE.

Writ Petition No. of 20

Petitioner.

Respondent.

By Sri.....

To,

Whereas a writ petition filed by the above named petitioner under Article 226 of the Constitution of India, as in the copy annexed hereunto has been registered by this Court ad upon preliminary hearing, the Court has directed the issue of rule nisi.

Notice is hereby given to you that if you wish to contest the writ petition, you may enter appearance within (strike off whichever is inapplicable) 10/5 days of the receipt of this notice either in person or by an Advocate appointed by you in that behalf and take such part in the proceedings as you may be advised.

(To be used when the date is not fixed by the Court)

Take further notice that in default of your appearance within the time prescribed, the writ petition will be heard and determined in your absence on any subsequent date and no further notice in relation thereto will be given to you.

Take notice that the above case is directed to be posted for final hearing/for consideration of interim prayer on.....at 10-30 A.M. You may appear in person or by an Advocate on the said date, if you wish to contest the above matter.

(To be used when the date is fixed by the order of the Court either for final hearing or regarding interim prayer)

You shall produce in court on the date of appearance all the records, orders and documents touching the matters in question which are in your custody or power.

(The Above clause to be struck off, if there is no direction by the court to call for records).

Take further notice that if you fail to appear on the said date, the matter will be heard in your absence on the said date or on any subsequent date to which the matter may be posted as directed by the court without any further notice.

INTERIM PRAYER

Pending disposal of the aforesaid writ petition, it is ordered by this Court on 19 as follows:-

(Interim order of the Court to be extracted).

Issued under hand and the seal of this Court, this theday of.....19

By order of the court

Assistant Registrar]¹

1. Form IV - Substituted by Notification No. HCE 618 of 1990 dt. 20/22-12-1990 w.e.f. 27.12.1990

FORM NO. V
Memorandum of Writ Appeal.
(Rule 27)
IN THE HIGH COURT KARNATAKA AT BANGALORE
Civil Appellate Jurisdiction

Writ Appeal No. of 20

Memorandum of Appeal under section 4 of the Karnataka High Court Act, 1961.

Between	Rank in the original	Rank in this appeal.
	Proceeding	

AB

(Address)	Appellant.
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AND

CD

(Address)	Respondent.
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I. The appellant above named presents to this Hon'ble Court this Memorandum of Appeal from the order dated..... passed in Writ Petition No.....

II . The facts of the case and the grounds in support of this appeal are as follows:-

Statement of facts.

(Here state succinctly the relevant facts which gave rise to the original proceedings and how they terminated)

Grounds of Appeal

(Here set out the grounds in support of the appeal. Where the appellant relies on any authorities or precedents, particulars thereof shall be stated in the relevant paragraphs).

¹[III. X X X] ¹

Bangalore: or	Signature of the Appellant
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Advocate for Appellant.

Dated.....19

Address of the appellant's Advocate for service of notice, etc:

1. Part III Deleted by Notification No. RPS No. 16 of 1977 dtd. 19.4.1977 w.e.f. 28.4.1977.

FORM NO. VI
Notice of Writ Appeal.
(Rule 30)
IN THE HIGH COURT OF KARNATAKA AT BANGALORE
Writ Appeal No. of 19

Appellant

Respondent

By Sri.

To

Respondent

Whereas a writ appeal filed by the above named appellant under section 4 of the Karnataka High Court Act, 1961, as in the copy annexed hereunto has been registered by this court and upon preliminary hearing the court has directed the issue of notice to the respondent;

Notice is hereby given to you that if you wish to contest the writ appeal, you may enter appearance within 14 days of the expiry of the receipt of this notice before this Court either in person or by an advocate appointed by you in that behalf and take such part in the proceedings you may be advised.

(To be used when the date is not fixed by the order of the Court)

Take further notice that in default of your appearance within the time prescribed, the writ appeal will be heard and determined in your absence on any subsequent date and no further notice in relation thereto will be given to you.

Take notice that the above appeal is directed to be posted for final hearing/for consideration on interim prayer, on..... at 10.30 A.M. You may appear in person or by an Advocate on the said date, if you wish to contest the above matter.

(To be used when the Court has fixed a date for final hearing or for consideration of interim prayer).

Take further notice that if you fail to appear on the said date, the matter will be heard in your absence on the said date or on any subsequent date to which the matter may be posted as directed by the Court without any further notice.

INTERIM ORDER

Pending disposal of the aforesaid appeal, it is ordered by this Court on..... 20 as follows:-

(Interim order of the Court to be extracted).

Issued under my hand and the seal of this Court, this theday of.....20

By order of the court

Assistant Registrar]