

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

SPECIAL LEAVE PETITION (CIVIL) Diary No(s).19748/2022

(Arising out of impugned final judgment and order dated 24-01-2022 in RSA No. 432/2005 passed by the High Court of Karnataka Circuit Bench at Dharwad)

RAMACHARYA SINCE DEAD BY HIS LRS.

Petitioner(s)

VERSUS

PRALHADACHARYA SINCE DEAD BY HIS LRS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.173445/2023-CONDONATION OF DELAY IN FILING and IA No.173446/2023-EXEMPTION FROM FILING O.T. and IA No.173449/2023-CONDONATION OF DELAY IN REFILEING/CURING THE DEFECTS)

Date : 01-09-2023 This petition was called on for hearing today.

CORAM :

**HON'BLE MRS. JUSTICE B.V. NAGARATHNA
HON'BLE MR. JUSTICE UJJAL BHUYAN**

**For Petitioner(s) Mr. Chinmay Deshpande, Adv.
Mr. Anirudh Sangneria, AOR**

For Respondent(s)

UPON hearing the counsel the Court made the following

O R D E R

Delay in filing and refiling the special leave petition is condoned.

This is the second case coming up from Karnataka High Court in recent times, where the regular Second Appeal has been disposed without framing the substantial question of law as if it is a regular First Appeal.

On a reading of the impugned judgment, we find no reference to any substantial question of law being framed or answered though

VERDICTUM.IN

just above paragraph 9, it states "Substantial question of law are answered accordingly".

Issue notice to the respondents returnable in three weeks.

In the meanwhile, the Additional Registrar General, Dharwad Bench of High Court of Karnataka to ascertain whether any substantial question of law was framed at the time of admission of this regular Second Appeal and if so, to send a copy of the same to the Registry of this Court.

List on 22.09.2023.

In the meantime, there shall be interim stay on the impugned judgment.

(KRITIKA TIWARI)
SENIOR PERSONAL ASSISTANT

(MALEKAR NAGARAJ)
COURT MASTER (NSH)