

Notice of Writ Appeal  
IN THE HIGH COURT OF KARNATAKA, DHARWAD BENCH  
WRIT APPEAL NO.100299/2021 (GM-ST/RN)

**Appellants**

1. STATE OF KARNATAKA  
DEPARTMENT OF STAMPS AND REGISTRATION  
KANDAYA BHAVAN, 8TH FLOOR, KEMPEGOUDA ROAD,  
BENGALURU-560009, REP. BY ITS PRINCIPAL SECRETARY

2. THE SUB-REGISTRAR  
JAMKHANDI SUB DIVISION, AC OFFICE COMPOUND, JAMKHANDI  
DIST. BAGALKOT-587301

(By HCGP.)  
Vs

**RESPONDENT**

SMT. VAISHALI W/O KESHAV KADAKOL  
AGE. 37 YEARS, OCC. HOUSEHOLD WORK, R/O. SAVALAGI VILLAGE,  
TQ. JAMKHANDI, DIST. BAGALKOT-587301



TO,

**RESPONDENT**

Whereas, a Writ Appeal filed by the above named appellant U/S 4 of 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

Emergent Notice is hereby given to you that if you wish to contest the Writ Appeal, you may enter appearance within 05 days 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 as you may be advised.

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.

**READ:** I.A.No.3/2021 filed Advocate for Appellant praying this Hon'ble Court to allow the above Application for stay and grant an interim order of stay of the impugned order dated 05.10.2021 passed by the Learned Single Judge in W.P. No. 103813/2021 and all further proceedings pursuant there to, during the pendency of the above Appeal.

**INTERIM ORDER**

Pending disposal of the aforesaid Writ Appeal it is hereby ordered by this Court on 18<sup>th</sup> DAY OF DECEMBER 2021 in the presence of Hon'ble Mr. Justice S. SUNIL DUTT YADAV and Hon'ble Mr. Justice S. RACHAIAH as follows:

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in Cash.

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“The State has filed the present appeal challenging the order of the learned Single Judge in W.P. No. 103813/2021.

Learned Govt. Advocate submits that operative portion of the order at paragraph nos. (ii) to (v) and consequently paragraph no. (vi) is liable to be set aside as the reference by the learned Single Judge to the judgment in W.P. No. 18939/2009 and reliance was made without noticing that the very order has been stayed by the apex Court in Special Leave to Appeal Nos. 15837-15838/2016.

It is further pointed out that an order came to be passed in W.A. No. 3589/2019 directing that the authorities were bound to register the sale deed without insisting for production of ‘11E’ sketch. As against the said order, the State had preferred SLP No. 12351/2021 wherein the operation of the impugned judgment in the Writ Appeal has been stayed. Accordingly, it is submitted that these facts have not been referred to by the learned Single Judge as a result of which impugned directions cannot be sustained. Accordingly, subject to further consideration taking note of the order passed by the apex Court staying the direction of the High Court dispensing with ‘11E’ sketch, there would be an interim order of stay of the order of the learned Single Judge. The order of stay is passed taking note of the urgency pleaded by the State and the implication of the direction and is passed pending consideration of I.A. No. 2/2021.

I.A. No. 1/2021 has been filed seeking dispensation of production of translated copies of Annexure-A which is in Kannada. In the light of the submission made, furnishing of English translation of Annexure-A is dispensed with for the present.

Issue emergent notice to the respondents on I.A. No. 2/2021 as well as on the main appeal.”



Sd/-  
Judge  
Sd/-  
Judge

//COPY//

ASSISTANT REGISTRAR

SK-30.12.2021

Free legal aid will be provided to SC/ST, Women, Child, Convicted/Prisoners, Industrial workmen, Mentally ill, Disabled etc., and also whose annual income is less than Rs.1,00,000/-. The eligible persons may contact the Member Secretary, High Court Legal Services Committee or District Legal Services Authority or Taluka Legal Services Committee.

**QUICK SETTLEMENT OF DISPUTES IN (BENGALURU) MEDIATION CENTRE**

Disputes concerning Family / Property / Other Matters referred to, by the Courts to Bangalore Mediation Centre / Mediation Centres in the concerned Districts, will be mediated effectively and legally by trained Mediators within 60/90 days and settled as per terms agreed to by both the parties voluntarily. Liantant public could seek reference by the concerned Court for mediation of their disputes. If the settlement is in accordance with law, the referral court would draw decree, which becomes final and there would be no appeal therefrom.

- a) The date on which the application was made ..... 21.12.2021
- b) The date on which charges and additional charges are called for..... 21.12.2021
- c) The date on which charges and additional charges are deposited/Paid..... 21.12.2021
- e) The date on which copy is ready for delivery by both the parties voluntarily..... 21.12.2021
- f) The Date on which the applicant is required to appear on before..... 21.12.2021
- g) The date on which copy is delivered to the applicant..... 21.12.2021
- h) Examined by..... 21.12.2021

*Manakethu*

*5/12/21*

*06/12/21*

*21.12.2021*

1002 100676/2021 Govt. Adv  
IN THE HIGH COURT OF KARNATAKA, DHARWAD BENCH

DATED THIS THE 20<sup>TH</sup> DAY OF DECEMBER 2021

BEFORE

THE HON'BLE MR. JUSTICE HEMANT CHANDANGOUDAR

RP No. 100064 OF 2021

IN WP No.117177/2019

**BETWEEN**

THE SUB-REGISTRAR  
JAMAKHANDI, AC OFFICE COMPOUND  
JAMAKHANDI, DIST. BAGALAKOTE-587301

(GOVT. ADV.)

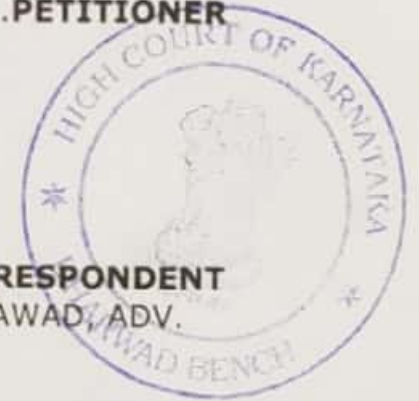
**AND**

SMT. VAISHALI W/O. KESHAV KADAKOL  
AGE. 35 YEARS, OCC.HOUSE HOLD WORK,  
R/O. SAVALAGI VILLAGAE, TQ: JAMKHANDI  
DIST. BAGALAKOTE-587301

...PETITIONER

....RESPONDENT

(V/ORDER DATED 20.12.2021 SRI : GIRISH YADAWAD, ADV.  
ACCEPTS NOTICE FOR SOLE RESPONDENT)



REVIEW PETITION IS FILED UNDER SECTION 114 AND ORDER 47 RULE 1 OF THE CODE OF CIVIL PROCEDURE, 1908, PRAYING TO SET ASIDE THE ORDER PASSED BY THIS HONBLE COURT IN W.P.NO.117177/2019 DATED 18.03.2021.

READ: I.A.No.1/2021 IS FILED UNDER ORDER 41 RULE 5 OF HIGH COURT OF KARNATAKA, PRAYING TO ALLOW THE APPLICATION FOR STAY AND GRANT AN INTERIM ORDER OF STAY OF THE IMPUGNED ORDER DATED 18.03.2021 PASSED BY THE HONBLE COURT IN W.P.NO.117177/2019 AND ALL FURTHER PROCEEDINGS PURSUANT THERE TO, DURING THE PENDENCY OF THE ABOVE REVIEW PETITION.

THE ABOVE RP COMING ON FOR ADMISSION ALONG WITH I.A.No.1/2021 FOR STAY, THIS DAY THE COURT MADE THE FOLLOWING:

CONTD...2

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**ORDER**

"Sri Girish Yadawad, learned counsel accepts notice for respondent.

Operation of the order dated 18.3.2021 passed by this Court in WP No.117177/2019 is stayed till the next date of hearing.

List after four weeks."

SD/-  
JUDGE

//COPY//

*Memabhi S-11*

ASSISTANT REGISTRAR.

*Ats*



rk/291221

- a) The date on which the application was made 31/12/2021
- b) The date on which charges and additional charges, if any, are called for.....
- c) The date on which charges and additional charges, if any are deposited /Paid.....
- d) The date on which the copies ready 5/1/2022
- e) The date of notifying the copy is ready for delivery.....
- f) The Date on which the applicant is required to appear in before.....
- g) The date on which copy is delivered to the applicant.....
- h) Examined by SSR SF

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