

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 1ST DAY OF APRIL 2014

BEFORE

THE HON'BLE MR.JUSTICE ANAND BYRAREDDY

WRIT PETITION NO. 14892 OF 2014 (LA-RES)

Between:

Shri G. Deepak
S/o. G. S. Gangegowda
Aged about 42 yers
Practicing Advocate
R/a. No. 327, EWS 9th Cross
Kuvempunagar
Hassan Town and District
Pin - 573202

... Petitioner

(By Shri G. V. Narasimha Murthy, Advocate)

And

1. Shri Rangegowda
S/o. Kuri Thimmegowda
Aged major
R/a. Gulasinda Village
Kasaba Hobli
Channarayapatna Taluk
Hassan Dist. Pin – 573101

2. Shri K. R. Manjunath
Practising Advocate
Aged major
Bar Association
Channarayapatna
Hassan Dist. Pin – 573101

3. Shri K. J. Dharmappa
Practicing Advocate
R/a. Gadde Rameshwara Layout
Behind New KSRTC and Dept.
Channarayapatna Town
Hassan Dist. 573101

... Respondents

This writ petition is filed under Articles 226 and 227 of the Constitution of India praying to direct the Trial Court (Sr. Civil Judge & JMFC at Channarayapatna) in LAC No. 55/2007 to dispose off in I.A.No.1 filed under Order 3 Rule 4(2) of CPC by the respondents, vide Annexure-H; and etc.

This writ petition coming on for preliminary hearing this day, the court made the following:

ORDER

Heard the learned counsel for the petitioner.

2. The petitioner is said to be a practicing advocate whose services had been engaged by the first respondent in

seeking recovery of compensation in respect of land which was the subject matter of acquisition proceedings. It transpires that though the petitioner had diligently prosecuted the matter and an amount of compensation was deposited before the court, at the stage when the amount was to be withdrawn, the first respondent unilaterally terminated the vakalath issued to the petitioner and has engaged the services of the second respondent and that the second respondent is appearing on behalf of the first respondent without any permission from the petitioner and hence the present petition.

3. The writ petition is not maintainable as the relief sought is in respect of breach of contract between a lawyer and his client. The remedy lies elsewhere and not before this court in this writ jurisdiction. The petition is disposed of without prejudice to the claim of the petitioner.

**Sd/-
JUDGE**

Rd/-