



CNR: KAHC010113682019

NC: 2026:KHC:41803
RFA No. 867 of 2019

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 7TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE RAJESH RAI K

REGULAR FIRST APPEAL NO. 867 OF 2019 (DEC/INJ)

BETWEEN:

SMT ANITHA DEV
W/O LATE DR AHAMINDRA DEV
AGED ABOUT 65 YEARS,
R/AT NO.14/87,
RATHNAVILAS ROAD
BASAVANAGUDI
BENGALURU-560 004

...APPELLANT

Digitally signed by
PANKAJA S
Location: HIGH
COURT OF
KARNATAKA

(BY SRI. VIJAYKUMAR PRAKASH, ADVOCATE)

AND:

1. SMT SUSHEELA BAI
W/O SRI BHEEMRAJ H JAIN,
AGED ABOUT 55 YEARS,
2ND FLOOR OF NO.54
SHANKARAPARK
RANGA RAO ROAD,
SHANKARAPURAM
BENGALURU-560 064
2. BRUHAT BENGALURU
MAHANAGARA PALIKE



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HUDSON CIRCLE,
BENGALURU

...RESPONDENTS

(BY SRI. RAVISHANKAR G.S, ADVOCATE AND
SRI. RAMALINGE GOWDA B, ADVOCATE FOR C/R1
R2 - SERVED AND UNREPRESENTED)

THIS RFA IS FILED UNDER SEC.96 OF CPC., AGAINST
THE JUDGMENT AND DECREE DATED 27.03.2019 PASSED IN
OS NO.3391/2014 ON THE FILE OF THE XL ADDL.CITY CIVIL
AND SESSIONS JUDGE, BENGALURU DISMISSING THE SUIT
FOR DECLARATION AND MANDATORY INJUNCTION.

THIS APPEAL, COMING ON FOR HEARING, THIS DAY,
JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE RAJESH RAI K

ORAL JUDGMENT

Learned counsel for the appellant files a memo seeking
leave of this Court to withdraw the above appeal, which reads
as under:

*"1. The Appellant above named submits
that in the meantime, First Respondent
has removed the violations on the western
side of Schedule A property and has also
demolished the 4th floor portion, which*



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was constructed in violation of the sanctioned plan.

2. In the foregoing background, Appellant seeks leave to withdraw the above appeal and the same may be dismissed as withdrawn in the interest of justice."

Placing memo on record, the appeal is ***dismissed as withdrawn.***

**SD/-
(RAJESH RAI K)
JUDGE**

CR
List No.: 1 Sl No.: 60