



CNR: KAHC010194892021

NC: 2026:KHC:45241
MFA No. 2438 of 2021

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 18TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

MISCELLANEOUS FIRST APPEAL NO. 2438 OF 2021 (CPC)

BETWEEN:

1. M/S BANGALORE SOFT DRINKS PVT LTD
HAVING ITS REGD. OFFICE AT NEW NO.2,
WARD NO.39, CHANDRA LAYOUT,
PANTHARA PALYA,
MYSORE ROAD, BANGALROE 560039.
REPRESENTED BY ITS DIRECTOR,
MR. PANKAJ LAKHANI.

...APPELLANT

(BY SRI. KARAN JOSEPH.,ADVOCATE)

AND:

1. M/S SKS PVT LTD
HAVING ITS REGOD. OFFICE AT NO.59,
SRI KRISHNA SUDHA, WEST ANJANEYA STREET,
GANDHI BAZAR, BANGALORE 560004.
REPRESETNED BY ITS MANAGING DIRECTOR.
2. RAGHAVENDRA KENDALLI ASHWATH
MANAGING DIRECTOR,
OFFICE AT NO.59, SRI KRISHNA SUDHA,
WEST ANJANEYA STREET, GANDHI BAZAR,
BANGALORE 560004.

Digitally signed
by
GAVRIBIDANUR
SUBRAMANYA
GUPTA
SREENATH
Location: HIGH
COURT OF
KARNATAKA



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3. JAGADISHKUMAR SAMPIGERUDRAIAH
DIRECTOR, OFFICE AT NO.59,
SRI KRISHNA SUDHA, WEST ANJANEYA STREET,
GANDHI BAZAR,
BANGALORE 560004.
4. KENDALIHALLI ASHWATHNARAYANARAO ANILKUMAR
DIRECTOR,
OFFICE AT NO.59,
SRI KRISHNA SUDHA, WEST ANJANEYA STREET,
GANDHI BAZAR,
BANGALORE 560004.

...RESPONDENTS

(BY SRI.S.ANIL KUMAR., ADVOCATE FOR C/R1, R2 AND R4)

(V/O DATED 08.07.2022, NOTICE TO R3 IS DISPENSED WITH)

THIS MFA IS FILED U/O 43 RULE 1(r) OF CPC AGAINST THE JUDGMENT AND AWARD DATED 11.02.2021 PASSED ON I.A.NO.1 IN OS.NO.384/2021 ON THE FILE OF THE LXII ADDITIONAL CITY CIVIL AND SESSIONS JUDGE, CCH-63, BENGALURU, REJECTING THE I.A.NO.1 FILED UNDER ORDER 39 RULE 1 AND 2 OF CPC.

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

CORAM: HON'BLE MR. JUSTICE PRADEEP SINGH YERUR



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ORAL JUDGMENT

Learned counsel for the appellant has filed a memo stating that the original suit in O.S.No.384/2021 has been disposed of by way of compromise petition entered by the parties, and a decree has been drawn dated 12.03.2025. Therefore, the present appeal would not survive for consideration any more.

2. Accepting the memo and the decree passed in the original suit in O.S.No.384/2021, the appeal is ***dismissed as having become infructuous.***

**Sd/-
(PRADEEP SINGH YERUR)
JUDGE**

RCK
List No.: 1 Sl No.: 3