



CNR: KAHC010240272024

NC: 2026:KHC:47569
MFA No. 2620 of 2024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

MISCELLANEOUS FIRST APPEAL NO. 2620 OF 2024 (CPC)

BETWEEN:

1. SRI. S. SHIVASHANKAR NAYAK
S/O. LATE SUBBANNA NAYAK,
AGED ABOUT 60 YEARS, DIRECTOR,
RAITHABANDU AHARAUDMYA PRIVATE LIMITED,
MARUTHIPURA, POST KANIYURU - 574 217,
BELTHANGADI TALUK,
UDUPI DISTRICT.
2. SMT. S. INDIRA NAYAK
W/O. LATE SUBBANNA NAYAK,
AGED ABOUT 79 YEARS,
HOUSEWIFE, DIRECTOR,
RAITHABANDU AHARAUDMYA PRIVATE LIMITED,
MARUTHIPURA, POST KANIYURU - 574 217,
BELTHANGADI TALUK,
UDUPI DISTRICT.

...APPELLANTS

(BY SRI. S.V. PRAKASH, ADVOCATE)

AND:

M.S. BALAGANGADHARA
S/O. PATEL SOMASHEKARAPPAGOWDA,
AGED ABOUT 87 YEARS,
AGRICULTURIST,
R/O. YADEHALLI,
POST: ANANDAPURAM - 577 412,



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SAGARA TALUK,
SHIVAMOGGA DISTRICT.

...RESPONDENT

THIS MFA IS FILED U/O 43 RULE 1(r) R/W SECTION 151 OF CPC, AGAINST THE ORDER DATED 29.02.2024 PASSED ON I.A.NO.1 IN OS.NO.12/2022 ON THE FILE OF THE ADDITIONAL SENIOR CIVIL JUDGE AND JMFC, SAGARA, ALLOWING THE I.A.NO.1 FILED UNDER ORDER 39 RULE 1 AND 2 OF CPC.

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

CORAM: HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

ORAL JUDGMENT

Learned counsel for the appellants has filed a memo seeking withdrawal of the appeal.

The memo is accepted.

Accordingly, the appeal is ***dismissed as withdrawn.***

Pending interlocutory applications stand ***disposed of.***

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

SSD
List No.: 1 Sl No.: 36