



CNR: KAHC010248522025

NC: 2026:KHC:40227
RFA No. 940 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE HANCHATE SANJEEVKUMAR

REGULAR FIRST APPEAL NO. 940 OF 2025 (DEC/INJ)

BETWEEN:

1. SMT. SHANTHI H,
W/O LATE MANOHAR PILLAI,
AGED ABOUT 65 YEARS,
2. SRI. H.M.HARSHVARDHAN PILLAI,
S/O LATE MANOHAR PILLAI,
AGED ABOUT 38 YEARS,
3. SRI. H.M.ARUNKUMAR,
AGED ABOUT 37 YEARS,
S/O LATE MANOHAR PILLAI,
RESPONDENTS NO.1 TO 3 ARE
R/AT NO.32, OLD HOUSING BOARD COLONY,
HUNSUR TOWN AND TALUK,
MYSORE DISTRICT - 570 001.
4. SRI. K.S. NANJAPPA,
S/O SRIKANTIAH K.S.,
AGED ABOUT 65 YEARS,
R/AT NO.MIG 38, HEBBAL,
METAGALLI,
MYSORE - 570 001.
5. SRI. NAGARAJU,
S/O LATE NANJAPPA,
AGED ABOUT 72 YEARS,
R/AT NO.1220, GANESHA
TEMPLE STREET, HUNSUR TOWN

Digitally
signed by
THE JAS
KUMAR N
Location:
HIGH
COURT OF
KARNATAKA



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AND TALUK,
MYSORE DISTRICT - 570 001.

6. SRI. GOPALAKRISHNA S.,
S/O LATE SRINIVAS PRASAD,
AGED ABOUT 64 YEARS,
R/AT PLAT.3/3, OPP POLICE QUARTERS,
GURUVAYURAPPAN NAGAR,
DENKANIKOTE ROAD, HOSUR,
KRISHNAGIRI DISTRICT,
TAMILNADU STATE.
7. SRI. C. MAHADEVU JOSEPH PINTO, @MARAI,
AGED ABOUT 69 YEARS,
S/O LATE CHANNAMALIAIAH,
R/AT NO.10, NEAR HIGH TENSION LANE,
SIR MV NAGAR,
RAMANURTHY NAGAR - 560 016,
BENGALORE NORTH.
8. SRI. H.K. SUBRAMANYEM,
S/O LATE KUPPAIAH,
AGED ABOUT 66 YEARS,
R/O NO.10, NEAR HIGH TENSION LANE,
SIR MV NAGAR,
RAMAMURTHY NAGAR,
BENGALURU NORTH - 560 016.
9. SRI. NAGARAJA GUPTA,
S/O LATE NARAYANA SHETTY,
AGED ABOUT 69 YEARS,
R/AT NO.3751/E, G BLOCK,
7TH CROSS, 10TH MAIN,
KANAKADASANAGAR,
MYSORE CITY - 570 001.
10. SRI. H.K. RAMEGOWDA,



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S/O KARIGOWDA,
AGED ABOUT 61 YEARS,
R/AT NO.183, SHANTHINAGAR,
PANDAVAPURA TOWN,
MANDYA DISTRICT - 571 401.

11. SRI. JAYARAJ K.,
S/O LATE KEMPAIAH,
AGED ABOUT 67 YEARS,
R/AT NO.47, ANAGALLI DODDI VILLAGE,
BANDAHALLI A BEAT, HANUR TALUK,
CHAMARAJANAGAR DISTRICT - 571 439.
12. SRI. Z. MAHAMMED RAMEZUDDIN,
S/O LATE ZAHEERUDDIN,
AGED ABOUT 65 YEARS,
R/AT NO.3/949, THALAVADI TOWN,
ERODE DIST, TAMILNADU STATE - 638 461.
13. SMT. VEENA PRAKASH,
W/O V.PRAKASH,
AGED ABOUT 62 YEARS,
R/AT NO.23, SHASTRY SADAN,
WEST ANJANEYA TEMPLE STREET,
OPP. TO B.M.S COLLEGE FOR WOMEN,
BASAVANAGUDI,
BENGALURU SOUTH,

REPRESENTED BY
SPL. POWER ATTORNEY HOLDER.

(REG. NO.337, CD. BSG 895. OF BOOK 4, REG.
BEFORE THE SUB- REGISTRAR,
BASAVANAGUDI,
BENGALORE ON 16.03.2021)



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SRI. NITHIN P. SHASTRY SADAN,
WEST ANJANEYA TEMPLE STREET,
OPP. TO B.M.S WOMEN'S COLLEGE,
BASAVANAGUDI,
BENGALURU - 560 004.

14. SMT.GAYIGHRI DEVI,
W/O LATE SUBRAMANYA MANJUNATH,
AGED ABOUT 61 YEARS,
15. AKSHATHA S.,
D/O LATE SUBRAMANYA MANJUNATH,
AGED ABOUT 33 YEARS,
16. AMRUTHA.S,
D/O LATE SUBRAMANYA MANJUNATH,
AGED ABOUT 27 YEARS,
R/AT NO.905/157A, 4TH MAIN, 6TH CROSS,
VIDYARANYAPURAM, MYSORE.

...APPELLANTS

(BY SRI. RUDRAPPA P., ADVOCATE)

AND:

M/S. K V R CONSTRUCTION,
NO.10988, 2ND PHASE, 4TH STAGE,
VIJAYANAGAR,
MYSORE - 577 023.
REPRESENTED BY
MANAGING PARTNER
SRI K. VENKATARAMANA.

...RESPONDENT

THIS RFA IS FILED UNDER ORDER 41 RULE 1 R/W
SEC.96 OF CPC., AGAINST THE JUDGMENT AND DECREE
DATED 08.01.2025 PASSED IN OS NO.788/2023 ON THE FILE



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OF V ADDITIONAL SENIOR CIVIL JUDGE AND JMFC, MYURU,
DISMISSING THE SUIT FOR DECLARATION AND INJUNCTION.

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

CORAM: HON'BLE MR. JUSTICE HANCHATE SANJEEVKUMAR

ORAL JUDGMENT

Learned counsel for the appellants has filed a memo
seeking leave of the Court to withdraw the petition.

Memo is placed on record.

In view of the memo, the appeal is ***dismissed as
withdrawn.***

**Sd/-
(HANCHATE SANJEEVKUMAR)
JUDGE**

MKM
List No.: 1 Sl No.: 15