



CNR: KAHC010756972024

NC: 2026:KHC:45017
MFA No. 8597 of 2024

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. 8597 OF 2024

(CPC)

BETWEEN:

1. SRI S.A KUSHAL KUMAR
AGED MAJOR,
2. MR. S.A. MAHINDRA
AGED MAJOR,

BOTH ARE SONS OF S.N. ANANDA MURTHY,
R/A NO.15, SAMPIGE HALLI VILLAGE ,J
AKKUR POST BANGALORE - 560 064.

...APPELLANTS

(BY SRI. B. VACHAN.,ADVOCATE)

AND:

1. MR B.NAGARAJ
S/O. LATE BACHANNA,
AGED ABOUT 72 YEARS,
R/A. HOODI VILLAGE,
K.R. PURAM HOBLI,
BANGALORE EAST TALUK-560 048.

SMT. MUNIYAMMA,
W/O LATE MUNISHAMAPPA,
(SINCE DEAD, REPRESENTED BY RESPONDENT NO.2
WHO IS THE SON OF LATE MUNIYAMMA)

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



NC: 2026:KHC:45017
MFA No. 8597 of 2024

CNR: KAHC010756972024

2. MR. RAJANNA
S/O. LATE MUNISHAMAPPA
AGED ABOUT 73 YEARS,
3. MR. R. MOHAN KUMAR
S/O. RAJANNA, AGED ABOUT 37 YEARS,
4. SRI. R. THRISHUL
S/O. RAJANNA, AGED ABOUT 36 YEARS,

RESPONDENTS NOS.2 TO 4 ARE
R/AT SAMPIGEHALLI VILLAGE,
YELAHANKA HOBLI,
BENGALURU NORTH TALUK,
BANGALOR DISTRICT-560 064.

...RESPONDENTS

(BY SRI. SUHAS. S., ADV. FOR C/R1
SRI. R.SHAILESH KUMAR FOR C/R3)

THIS MFA IS FILED U/O.43 RULE 1(r) OF THE CPC,
AGAINST THE ORDER DT.21.09.2024 PASSED ON IA NO.12 IN
O.S.NO.4877/2004 ON THE FILE OF THE XXX ADDITIONAL
CITY CIVIL AND SESSIONS JUDGE, BENGALURU CITY, (CCH-
31), REJECTING IA NO.12 FILED U/O.39 RULE 1 AND 2 R/W
SEC.151 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 appellants has filed a memo seeking withdrawal of the appeal.

2. The memo is accepted. The plaint has been rejected by the trial Court

3. In view of the rejection of the plaint, the present appeal would not survive for consideration. Accordingly, the appeal is ***dismissed as withdrawn***, reserving liberty.

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

RCK
List No.: 1 Sl No.: 8