NC: 2025:KHC:53588
MFA No. 2175 of 2025

HC-KAR

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 16TH DAY OF DECEMBER, 2025**

**BEFORE**

**THE HON'BLE MR. JUSTICE HANCHATE SANJEEVKUMAR**

**MISCELLANEOUS FIRST APPEAL NO. 2175 OF 2025 (CPC)**

**BETWEEN:**

1. SRI. A.C. RAMAKRISHNAPPA
S/O. LATE A.S. CHINAPPA,
AGED ABOUT 68 YEARS,
RESIDING NEAR WATER TANK,
AMRUTHAHALLI BUS-STAND,
SAHAKARA NAGAR POST,
BENGALURU - 560 092.

...APPELLANT

(BY SRI. B.V. BADRINATH, ADVOCATE)

**AND:**

1. SMT. PUTTALINGAMMA
W/O. LATE HANUMANTHAPPA,
AGED 67 YEARS,
RESIDING AT KASAPURA VILLAGE,
MEDIGESHI HOBLI, MADHUGERI TALUK,
TUMKUR DISTRICT - 572 132

2. SMT. NAGARATHNA,
W/O. LATE HANUMANTHU
AGED ABOUT 52 YEARS,
RESIDING AT NO.411,
BEHIND RENUKA YELLAMMA TEMPLE,
SRI.CHAKRESHWARI ASHRAMA,
AMRUTHAHALLI, SAHAKARANAGAR POST,
BENGALURU - 560 092

...RESPONDENTS

(BY SRI. CHOKKA REDDY, ADVOCATE FOR C/R1 AND R2)

THIS MFA IS FILED UNDER ORDER 43 RULE 1(r) OF CPC, AGAINST THE ORDER DATED 07.03.2025 PASSED ON I.A.NO.1 IN O.S.NO.527/2025 ON THE FILE OF THE XL ADDITIONAL CITY

Digitally signed by RAMYA D
Location: HIGH COURT OF KARNATAKA

CIVIL AND SESSIONS JUDGE, BENGALURU CITY (CCH-41), DISMISSING THE I.A. NO.1 FILED UNDER ORDER XXXIX 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 HANCHATE SANJEEVKUMAR

**ORAL JUDGMENT**

The appeal is filed by the plaintiff questioning the order dated 07.03.2025 passed on I.A.No.1 in O.S.No.527/2025 by the Court of the XL Additional City Civil & Sessions Judge at Bengaluru City (CCH-41), whereby the trial Court has dismissed the application filed for temporary injunction.

2. The plaintiff has filed suit for declaration, possession, mandatory injunction and mesne profits.

3. It is submitted by the learned counsel for the appellant/plaintiff that since the application filed for temporary injunction is dismissed, the defendants have started construction and completed the construction of building. Therefore, prays to dispose of the appeal with a

direction to the defendants not to alienate the suit schedule property along with the construction made on it.

4. For which, learned counsel for the defendants submitted that the defendants do not have intention to alienate the suit schedule property.

5. The submissions made by both the counsels are placed on record.

6. Therefore, the appeal is ***disposed of*** with a direction to the defendants not to alienate the suit schedule property along with construction made on it, till the disposal of the suit.

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

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List No.: 1 Sl No.: 8
CT-SG