HC-KAR

NC: 2026:KHC:61196
MFA No. 5551 of 2023

CNR: KAHC010413212023

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 4TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

MISCELLANEOUS FIRST APPEAL NO. 5551 OF 2023 (CPC)

BETWEEN:

SRI HARINATHA REDDY
AGED ABOUT 47 YEARS,
S/O VENKATARAMANAPPA,
MANAGING DIRECTOR OF
SAI PANCHAMI DEVELOPERS PVT. LTD.
RESIDING AT NO.1609
60 FEET ROAD, 12thMAIN,
20TH CROSS, B BLOCK,
SAHAKARANAGARA,
BENGALURU - 560 092

...APPELLANT

(BY SRI. NARENDRA S., ADVOCATE)

AND:

Digitally signed by VINUTHA M
Location: HIGH COURT OF KARNATAKA

1. SMT ANANDAMMA
AGED ABOUT 47 YEARS,
W/O PRAKASH
D/O LATE NARAYANAPPA AND LATE RAMANJINAMMA
RESIDING AT YELLUPURA VILLAGE,
KASABA HOBLI,
DODDABALLAPUR TALUK
BENGALURU RURAL DISTRICT
ALSO R/AT MADUKU,
HOSAHALLI VILLAGE (GHANDIPURA)
SULTHAN PETE, NANDI HOBLI,

NANDIBETTA POST,
CHIKKABALLAPURA TALUK AND DISTRICT

2. SRI. RAMANJINAPPA
AGED ABOUT 45 YEARS,
S/O LATE NARAYANAPPA AND LATE RAMANJINAPPA

3. SMT. RATHNAMMA
AGED ABOUT 42 YEARS,
W/O RAMANJINAPPA

4. KUM. ARCHANA
AGED ABOUT 22 YEARS
D/O RAMANJINAPPA

5. KUM. CHANDANA
AGED ABOUT 20 YEARS,
D/O RAMANJINAPPA

6. SRI. RANJAN GOWDA
AGED ABOUT 19 YEARS,
S/O RAMANJINAPPA

7. SRI. SHIVAKUMAR
AGED ABOUT 43 YEARS,
S/O LATE NARAYANAPPA AND LATE RAMANJINAMMA

8. SMT. AMBIKA
AGED ABOUT 41 YEARS,
W/O SHIVAKUMAR

9. MASTER GAGAN GOWDA
AGED ABOUT 16 YEARS
S/O SHIVAKUMAR

10. MASTER SUHAS GOWDA
AGED ABOUT 14 YEARS,
S/O SHIVAKUMAR

THE RESPONDENTS NO.9 AND 10 ARE MINORS
REPRESENTED BY THEIR NATURAL GUARDIAN
AND THEIR FATHER SRI. SHIVAKUMAR

11. SMT. P SUJATHA
AGED ABOUT 37 YEARS,
W/O LATE LAKSHMANA MURTHY

12. KUM. CHITHANAYA
AGED ABOUT 17 YEARS,
D/O LATE LAKSHMANA MURTHY

13. MASTER ASHWIN GOWDA
AGED ABOUT 11 YEARS,
D/O LATE LAKSHMANA MURTHY

THE RESPONDENT NO. 12 AND 13 ARE MINORS
REPRESENTED BY THEIR NATURAL GUARDIAN AND
THEIR MOTHER SMT. P. SUJATHA

RESPONDENTS NO.2 TO 13 ALL ARE
R/AT YELLAPURA VILLAGE
KASABA HOBLI,
DODDABALLAPURA TALUK
BENGALURU RURAL DISTRICT

…RESPONDENTS

THIS MFA IS FILED U/O 43 RULE 1(r) R/W SECTION 151 OF CPC, AGAINST THE ORDER DATED 19.01.2022 PASSED ON I.A.NO.1 IN OS.NO.44/2019 ON THE FILE OF THE ADDITIONAL SENIOR CIVIL JUDGE AND JMFC, DODDABALLAPURA,

ALLOWING THE I.A.NO.I 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

ORAL JUDGMENT

As per the internet order sheet copy of the trial Court in OS.No.44/2019, the suit has been allowed otherwise as uncontested on 01.08.2024. Therefore, the present appeal would not survive for consideration.

2. The appeal is ***dismissed as having become infructuous***.

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

RCK, List No.: 1 Sl No.: 12