HC-KAR

CNR: KAHC010424782017

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 5TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR

REGULAR SECOND APPEAL NO. 1857 OF 2017 (PAR-)

BETWEEN:

SRI HARSHAVARDHAN @ K V MADHUSUDHAN
S/O. K R VASUDEVA GUPTHA,
R/AT NO. 168/B,
GROUND FLOOR,
6TH CROSS, 1ST -N-BLOCK,
RAJAJINAGAR,
BANGALORE - 560 010.

…APPELLANT

(BY SRI. B SHARATH KUMAR, ADVOCATE)

AND:

1. R SUDHAKAR
S/O. LATE. B. RAMAIAH,
SINCE DEAD BY LRS.

1(A) SMT. M. PUSHPA SUDHAKAR
W/O LATE R. SUDHAKAR
AGED ABOUT 55 YEARS.

1(B) SRI. S. HEMACHANDRA
S/O LATE R. SUDHAKAR
AGED ABOUT 33 YEARS

1(C) SRI. S. TRIDEV
S/O LATE R. SUDHAKAR
AGED ABOUT 29 YEARS

ALL ARE PRESENTLY R/AT
VILLA NO. 47, GOLDEN HOMES
LIBERTY ACRES, 1ST PHASE
INDELABALE VILLAGE, ATTIBELE HOBLI
ANEKAL TALUK, ANEKAL – 562 107.

Digitally signed by VANDANA S
Location: High Court of Karnataka

R. SATHYANARAYANA
S/O LATE. B. RAMAIAH,
SINCE DEAD BY LRS,

2 SHAKUNTHALA
W/O LATE. R. SATHYANARAYANA,
AGED ABOUT 64 YEARS

3. SMT. S. SMITHA
D/O LATE. R. SATHYANARAYANA,
AGED ABOUT 42 YEARS

4. KUMARI. S. SWAETHA
D/O LATE. R. SATHYANARAYANA,
AGED ABOUT 37 YEARS

2 TO 4 RESIDING AT NO. 9/34
6TH MAIN ROAD, SHAKAMBARINAGAR
J.P.NAGAR, 1ST PHASE
BENGALURU – 560 076.

5. SMT. R. RAJESHAWARI
D/O LATE. RAMAIAH,
AGED ABOUT 56 YEARS
R/AT NO. 5, 4TH CROSS,
ASHOK NAGAR, N.R. COLONY,
BENGALURU 560 019.

6. SRI. B G ANJINAPPA
S/O. LATE. B M GUNDA REDDY,
AGED ABOUT 57 YEARS
R/AT BIDARGUPPE VILLAGE,
ATTIBELE HOBLI, ANEKAL TALUK,
BENGALURU RURAL DISTRICT.

7. SRI. ARTHANARI
S/O. O. SRINIVASAN,
AGED ABOUT 69 YEARS
R/AT : NO. 39/40,
3RD CROSS, NANJAPPA LAYOUT,
ADUIGODI,
BENGLAURU 560 030.

8. SRI. V J K BAKTHAVAKCHALAM
PRESIDENT,
THE KARNATAKA TELECOM
DEPARTMENT EMPLOYEES
CO OPERATIVE SOCIETY LTD,
NO. 6/7, RAJBHAVAN ROAD,
BANGALORE 560 001.

…RESPONDENTS

(BY SRI. G.V. SHASHIKUMAR, ADVOCATE FOR R-1 (A TO C)
(R-1(B) IS REP BY GPA HOLDER R-1(A))
R-3, R-4, R-7, R-8 ARE SERVED)

THIS RSA IS FILED UNDER SECTION 100 OF CPC, AGAINST THE JUDGMENT AND DECREE DATED 24.04.2017 PASSED IN R.A.NO.5001/2013 ON THE FILE OF THE III ADDITIONAL DISTRICT AND SESSIONS JUDGE, ANEKAL, ALLOWING THE APPEAL AND SETTING ASIDE THE JUDGMENT AND DECREE DATED 01.06.2013 PASSED IN O.S.NO.850/2006 ON THE FILE OF THE SENIOR CIVIL JUDGE ANEKAL.TRIAL COURT DISMISSED THE SUIT. APPELLATE COURT ALLOWED THE APPEAL. THE SUIT FOR PARTITION AND SEPARATE POSSESSION.

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

CORAM: HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR

ORAL JUDGMENT

Learned counsel for the appellant has filed a memo dated 05.11.2026, which reads as under:

"The undersigned submits that the matter is settled between the parties, hence the appellant does not intend to continue with this appeal. The parties have executed a confirmation/settlement deed between the parties.

The appeal may be dismissed as withdrawn. Hence the appellant requests to dismiss the above appeal as withdrawn, in the interest of justice and equity."

2. The said memo is placed on record.

3. In view of the aforesaid memo, the appeal is disposed of as withdrawn.

Sd/-
(S.R.KRISHNA KUMAR)
JUDGE

BMC
List No.: 1 Sl No.: 20