HC-KAR

NC: 2026:KHC:64817
MFA No. 6147 of 2023

CNR: KAHC010471532023

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 20TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

MISCELLANEOUS FIRST APPEAL NO. 6147 OF 2023 (CPC)

BETWEEN:

DR RAM MOHAN K N
S/O K NARAYANA BHAT,
AGED ABOUT 52 YEARS,
SPECIALTY DENTAL CARE CENTRE,
SHREYAS COMPLEX, SULLIA D.K. - 574 239

...APPELLANT

(BY SRI. KRISHNAMOORTHY D., ADVOCATE)

AND:

K NARAYANA BHAT S/O LATE K VISHNU BHAT,
SINCE DECEASED BY LEGAL REPRESENTATIVE,

1A. VIJAYALAKSHMI,
W/O LATE K NARAYANA BHAT,
AGED ABOUT 77 YEARS,
NO.1-65, NIDUBE HOUSE,
P O AIVERNADU - 574 248,
SULLIA TALUK D.K.

2. DR. VISHNU PRASANNA K N
S/O K NARAYANA BHAT,
AGED ABOUT 53 YEARS,
NO.1-65, NIDUBE HOUSE,
P O AIVERNADU-574248,
SULLIA TALUK D.K.

Digitally signed by VINUTHA M
Location: HIGH COURT OF KARNATAKA

3. MRS SOUMYA K N
W/O RAJESH U,
AGED ABOUT 38 YEARS,
PARASHARA, 8-1-64B,
SUDHEENDRA THEERTHA MARG,
(ROAD), KUNJIBETTU UDUPI - 576 102.

…RESPONDENTS

(BY SMT. JYOTHI BHAT, ADVOCATE FOR C/R2)

THIS MFA IS FILED UNDER ORDER 43 RULE 1(r) OF CPC, AGAINST THE ORDER DATED 01.08.2023 PASSED ON I.A.NO.21 IN O.S.NO.09/2018 ON THE FILE OF THE SENIOR CIVIL JUDGE AND JMFC, SULLIA, DAKSHINA KANNADA, ALLOWING THE I.A. NO.XXI FILED UNDER ORDER XXXIX RULE 1 AND 2 READ WITH SECTION 151 OF CPC.

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

CORAM: HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

ORAL JUDGMENT

1. Learned counsel for the appellant submits that the suit before the Trial Court has been decreed on 26.06.2025. He files a memo to that effect. The same is taken on record.

2. Vide order dated 22.09.2023, this Court directed the appellant / plaintiff to deposit Rs.5,00,000/- before the Trial

Court within four weeks which he has done in compliance. Learned counsel for the appellant submits that, the Trial Court has not passed any order with regard to the amount of 5,00,000/- deposited by the appellant / plaintiff. Subject to any final order having been passed with regard to Rs.5,00,000/- ordered to be deposited by this Court, the appellant / plaintiff is permitted to withdraw this amount. The Trial Court shall disburse this amount to the appellant / plaintiff by way of RTGS upon the plaintiff furnishing the relevant bank details on proper verification within two weeks from the date of filing such a memo.

3. This appeal stands disposed as having become infructuous.

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

NMS
List No.: 1 Sl No.: 27