

KABR010003852020



**IN THE COURT OF THE I ADDL DISTRICT AND SESSIONS
JUDGE, BENGALURU RURAL DISTRICT, BENGALURU**

:: PRESENT ::

Sri Hosamani Pundalik,
I Addl. District & Sessions Judge,
Bengaluru Rural District, Bengaluru.

R.A.No.42/2020

Dated this the 23rd day of April 2024

APPELLANTS :

DEFENDANTS

1. Smt. Fathima Mary,
W/o late Puttaraju @ Hrudayaraju,
Aged about 65 years,
R/at. Thattaguppe Village & Post,
(Mariyapura),
Bangalore South Taluk,
Bangalore.
(Defendant No.3a)
Since dead by LRs.
- (2) Smt. Antony Mary (Laveena)
W/o Mr. Arogyaswamy,
D/o late late Sri.Puttaraju @
Hrudaya Raju,
Aged 43 years,
R/at Joseph Doddi,
Herobele Post,
Umbyabally Hobli,
Kanakapura Taluk
Ramanagar District.
(Defendant No.3b)

(3) Sri. Anthony Raj,
S/o. Pandu,
Aged about 45 years,
Thattaaguppe Village,
Uttarahalli Hobli,
Bengaluru North Taluk,
Bengaluru -560 062.
(Defendant No.1)

(By Sri.K.R.B- Adv for Appellant)

-Vs-

RESPONDENTS:
APPELLANT

Smt. Mary Clara,
D/o Late.Papanna,
Aged about 45 years,
R/at No.14-146(3), 194/3,
Devaiah Compound,
New Extension,
Madikeri. (Plaintiff)

(Sri.V.K.V- Advocate)

Date and nature of
decree or order
appealed against : Judgment & Decree in O.S.
No.1086/2006, dated:
25.02.2017 on the file of the I
Addl. Senior Civil Judge Rural
District, Bengaluru.

Date of the institution
of the appeal : 18.04.2017

Date of pronouncing
of judgment : 23.04.2024

:: JUDGMENT ::

The present regular appeal has been preferred by appellants/defendants No.3(a), 3(b) and defendant No.1 against the respondent/plaintiff, being aggrieved by the judgment and decree passed by the I Addl. Senior Civil Judge, Bengaluru Rural District, Bengaluru in O.S.No.1086/2006 dated 25.02.2017 having decreed the suit of the plaintiff for vacant possession and directing the defendants No.1 to 3 to deliver vacant possession of the suit schedule property to the plaintiff within three months.

2. Brief facts for the disposal of the regular appeal is as under:

That, the plaintiff is the absolute owner and in possession and enjoyment of the house bearing No khaneshumari No.37, property No.39, (Old) present property bearing No.45/1, Assessment No.42 of Thattaguppe village, Uttarahalli Hobli, Bangalore South Taluk, Bangalore Rural District. The plaintiff acquired the same as per the registered will deed bearing No.53/1996-97 dated 31.07.1996, at the office of the Sub Registrar, Kengeri, Bangalore South Taluk, executed by her father late Papanna. The said Papanna the father of the plaintiff was died on 09.10.1998. The father of the plaintiff-Papanna was in possession and enjoyment of the suit schedule property during his life time. Further it is case of the plaintiff that after the death of her father Papanna the Khatha of the

schedule property has been mutated in the name of plaintiff. Further, it is case of the plaintiff that the defendants without having any right, title, interest whatsoever in the suit schedule property and taking advantage of the fact that she is residing at Madikeri have illegally arbitrarily and unauthorizedly trespassed into the schedule premises without the knowledge and consent of the plaintiff. The plaintiff has come to know the same on 27.02.2006 and she has lodged a complaint before the Jurisdictional police. Further it is case of the plaintiff that she got issued legal notice dated 25.05.2006 by registered post with acknowledgment due to the defendants calling upon them to quit, vacate and deliver vacant possession of the schedule premises to the plaintiff within 7 days from the date of receipt of the said notice failing which the plaintiff would be constrained to initiate appropriate legal proceedings to evict the defendants from the schedule premises. But the defendants 1 and 2 have failed to reply to the said notice. The defendant No.3 gave an evasive reply through his daughter. The defendants further failed to comply with the said notice and further the defendants have failed to vacate and deliver vacant possession of the suit property as demanded in the said notice. Hence, the plaintiff has constrained to file the present suit for recovery of possession of suit property for direction to the defendants to quit and

deliver the vacant possession of the suit schedule premises to the plaintiff in the interest of justice.

3. After institution of the suit, suit summons were issued to the defendants, the defendants appeared before the court through their counsels. The defendants No.1 to 3 have filed their written statement. The written statement filed by the defendants No.1 and 2 is to the following effect:

It is contended by the defendants No.1 and 2 that the plaintiff has filed the suit on the basis of alleged Will deed without obtaining probate from the competent court of law to declare that the plaintiff is the owner of the suit property. Further it is contended by the defendants No.1 and 2 that when there is no declaration that the plaintiff is the owner of the property filing of the eviction suit against the defendants is not maintainable. Further it is contended by the defendants No.1 and 2 that the defendant No.3 is the absolute owner of the suit schedule property. These defendants are tenants under the defendant No.3. The defendants are occupied the premises as tenant in the year 1994 and inception of the tenancy the defendants No.1 and 2 had paid a sum of Rs. 100/- p.m., rent and later on at present paying rent a sum of Rs.250/- p.m. to the defendant No.3. Further it is contended by the defendants No.1 and 2 that the plaintiff is stranger and there is no jural relationship with the defendants No.1 and 2. Further it is contended by the defendants No.1 and 2 that the defendant No.3 has got

stroke about 2 years back and he had only one daughter and he is under her care and custody with his daughter. The defendant No.3 presently staying at Joseph Doddy, Arable (Post), Uyamaballi Hobli, Kanakapura Taluk, Bangalore Rural District. Further, it is contended by the defendants No.1 and 2 that the children of Antony Mary are studying and residing in portion of the schedule property. The defendant No.3 is the absolute owner and he is the landlord of the defendant No.1 and 2 and the plaintiff not known to defendants No.1 and 2. Further it is contended by the defendants No.1 and 2 that the plaintiff has filed present suit with an oblique motive to harass the defendants and the suit is not maintainable under law and plaintiff is not owner of the suit schedule property. Further it is contended by the defendants No.1 and 2 that the suit of the plaintiff is not maintainable without seeking declaration that the plaintiff is owner of the suit schedule premises. On these grounds the defendant No.1 and 2 prays to dismiss the suit of the plaintiff.

4. The defendant No.3 has filed his written statement, the written statement filed by the defendant No.3 is to the following effect:

Further it is contended by the defendants No.3 that the suit of the plaintiff for directing the defendants to quit and deliver the vacant possession of the suit schedule property is not maintainable and liable to be dismissed and further

denied that the plaintiff is the owner of the suit schedule property and also denied the execution of the Will deed and also other allegations made in the plaint. Further it is contended by the defendant No.3 that he was suffering from paralysis in the month of August 2005 after that incident his daughter provided medical treatment at Maddur and such other hospitals. As such at the time to raise the hand loan on the land bearing Sy.No.99 of Vaddarapalya village measuring to an extent of 2 acres of the said land was peacefully cultivated by the defendant No.3, the daughter of the defendant No.3 taken the RTC from the Revenue department, in that RTC the name of the plaintiff was mutated in respect of suit property then only the defendant No.3 came to knowledge of the illegal katha made in the name of the plaintiff, immediately, without any delay the defendant No.3 and his daughter challenged the mutation order passed by the Tahsildar before the Assistant Commissioner vide R.A. No.(8)585/2005-06 and getting a stay of the MR.No.8/98-99, stands in the name of the plaintiff, after hearing both the side, the Assistant Commissioner, disposed the appeal directing the plaintiff and defendant No.3 to approach the Civil court to get probate of respective will Deeds and the Assistant Commissioner also not cancel the alleged and illegal mutation entry which is standing in the name of the plaintiff. Further it is case of the defendant that, the defendant No.3

filed a revision petition before the Deputy Commissioner, and got the stay in M.R No.8/98-99, after hearing both the side the learned Deputy Commissioner is not interfere with the order passed by the Assistant Commissioner and ultimately the Revision petition is dismissed directing both the parties to approach the Civil Court for proper remedy. Hence, the defendant No.3 is intending to be file a suit for probating the will Deed executed by the late Papanna registered as 68/95-96 dated 31.7.1995 in favour of all the children. Further it is contended by the defendant No.3 that the plaintiff not obtained any probate in respect of Will deed from the competent court of law without obtaining probate, the Revenue authority cannot change the Katha of the property mentioned in the will deed. Further it is contended by the defendants No.3 that as on the date of filing of the suit the defendant No.3 is not able to walk and speak. Because, he was suffering from paralysis stroke, this facts known by the plaintiff in the suit, the plaintiff not made any application for court to appoint guardian for defendant No.3 and this fact is suppressed by the plaintiff on this ground itself the suit is liable to be dismissed. Further it is contended that, defendant No.3 is a brother of the plaintiff and she know the facts that the defendant No.3 was a disabled person he is not able to speak or to express his things. Hence, it is just and necessary to make an application by the plaintiff at the time of filing the suit against the defendants, but herein

plaintiff intentionally, fraudulently suppressed this fact before this Court. Further it is contended by the defendants No.3 that the alleged will deed having in her favour also created misrepresented fraudulently and intentionally by giving a pressurize to late Papanna to execute the said alleged will deed in her favour just to grab the entire property belongs to brother and sister of the plaintiff as mentioned in the will deed dated 31.7.1995 and without allotting the share of the brother and sister of the plaintiff in the said circumstances, the document itself discloses the circumstances and fact and intention of the late Papanna. As such, the suit of the plaintiff is false, frivolous and vexatious and liable to be dismissed and prayed to dismiss the suit

5. On the basis of the above pleadings the trial Court has framed the following issues same are reproduced as under:

ISSUES

1. Whether the plaintiff proves that she is the absolute owner of the suit schedule property?
2. Whether the plaintiff proves that defendants illegal trespass into the suit schedule property?
3. Whether the defendant No.1 and 2 prove that defendant No.3 is the owner of the

suit schedule property and they are tenant under him?

4. Whether the defendant No.1 and 2 proves that the plaintiff is stranger and there is no jural relationship between them?
5. Whether the defendant No.1 and 2 prove that suit is barred by limitation?
6. Whether the plaintiff proves that she is entitled for suit schedule property?
7. What Order and decree?

6. In order to prove its case the plaintiff herself gave evidence as P.W1 and examined 3 supporting witnesses Sri. Sayed Shafi Uddin as PW.2, Sri. Josephine as PW.3, Sri. B.N.Madashetti as PW.4 and produced as any 24 documents as Ex.P1 to Ex.24 and closed the side. On the other hand, the defendant No.3(b) Anthony Mary @ Laveena herself gave evidence as DW-1 and defendant No.1 Anthony Raj himself gave evidence as DW.2 and got marked two documents as EX.D1 and 2 and closed the side.

7. The Trial Court after appreciating oral and documentary evidence has given its findings on issues No.1 , 2 and 6 in the affirmative and issues No.3 to 5 in the negative and decreed the suit of the plaintiff directing the

defendant No.1 to 3 to deliver vacant possession of the suit schedule property to the plaintiff within 3 months from the date of judgment.

8. The appellant/defendant 3(a), 3(b) and defendant No.1 feeling aggrieved and dissatisfied with the impugned judgment and decree in OS.No.1086/2006 dated 25.02.2017 passed by the trial Court for decreeing the suit of the plaintiff directing the defendant No.1 to 3 to deliver vacant possession of the suit schedule property to the plaintiff within 3 months from the date of judgment, the appellants have preferred present appeal on the following grounds:

The judgment and decree passed by the trial Court is contrary to law and liable to be set aside. The trial Court has failed to understand the nature of the suit and suit is not maintainable without seeking declaration of title. The trial court has failed to understand that the plaintiff is stranger and she has no right over the property and there is no relationship as landlord and tenant. It is stated that the appellants have filed suit for partition and separate possession in respect of joint property in O.S.No.846/2010. The trial court has failed to understand that the plaintiff has not proved that the defendants have illegally trespassed into the suit schedule property. The trial Court has wrongly come to the conclusion that the plaintiff is the absolute owner of the suit property on the basis of the Will and further stated that the trial Court come to the wrong conclusion that the

defendant No.1 and 2 have failed to prove that the plaintiff is stranger to the suit property. The trial Court has committed serious error in decreeing the suit of the plaintiff. The judgment and decree passed by the trial court is arbitrary, capricious and liable to be set aside. On these and among other grounds prayed to allow appeal by setting aside the judgment and decree passed O.S.No.1086/2006 dated 25.02.2017 passed by I Addl. Senior Civil Judge, Bengaluru Rural District, Bengaluru in the interest of justice.

9. The appellants/defendants No.3(a) and 3(b) and defendant No.1 have filed the application under Order 41 Rule 27 of C.P.C. for production of documents as additional evidence i.e.,(1) Certified copy of the registered Will deed dated 31.07.1995, (2) Copy of election ID, Aadhar Card and Ration Card belongs to Fathima Mary, (3) Copy of Election ID, Aadhar Card and Ration Card of Anthony Raj (4) Copy of the plaint in O.S.No.846/2010 filed by Puttaraju against Mary Clara, (5) Copy of written Statement in O.S.No.846/2010 filed by Mary Clara. It is stated in the affidavit filed along with I.A. by one Smt. Fathima Mary appellant No.1 that they are owner of the suit schedule property and they have not trespassed the suit schedule property at any point of time and there no jural relationship of landlord and tenant. The respondent is stranger to the suit property, she has no right, title or interest over the suit

schedule property. Further stated that they have filed suit for partition and separate possession and same is pending for consideration. The documents produced by the appellants are very much necessary to adjudicate the matter and she is illiterate and non filing of above documents are bonafide and untentional and prayed to allow the application for leading additional evidence in the interest of justice.

10. Per contra the respondent filed the objection to I.A. 41 rule 27 of CPC contending that the application filed by the appellants is not maintainable either in law or on facts and is liable to be set aside. The documents which are sought to be produced are not relevant documents. The original Will Deed has not seen the light of the day. The application filed by the appellants for production for additional documents only to drag the matter and prayed to reject the application.

11. After institution of the Appeal, the Appeal notice were issued to the Respondent, the respondent has appeared before the Court through the counsel and supported the impugned judgment passed by the Trial Court.

12. Thereafter, I have heard the arguments advanced by the learned counsel for the appellants and that of learned counsels for the respondent.

13. The points that would arise for my consideration in this case are as under:

POINTS

(1) Whether the application filed by the appellants/defendants under Order 41 Rule 27 of C.P.C for additional evidence deserves to be allowed ?

(2) What Order?

14. My findings to the above points are as under:

Point No.1: In the Affirmative;

Point No.2: As per final order
for the following:

: REASONS :

15. **Point No.1:** It is pertinent to note that the appellants/plaintiffs have filed application under Order 41 Rule 27 of C.P.C. for production of documents as additional evidence i.e.,(1) Certified copy of the registered Will deed dated 31.07.1995, (2) Copy of election ID, Aadhar Card and Ration Card belongs to Fathima Mary, (3) Copy of Election ID, Aadhar Card and Ration Card of Anthony Raj (4) Copy of the plaint in O.S.No.846/2010 filed by Puttaraju against Mary Clara, (5) Copy of written Statement in O.S.No.846/2010 filed by Mary Clara. It is stated in the affidavit filed along with I.A. by one Smt. Fathima Mary appellant No.1 that they are owner of the suit schedule property and they have not trespassed the suit schedule

property at any point of time and there no jural relationship of landlord and tenant. The respondent is stranger to the suit property, she has no right, title or interest over the suit schedule property. Further stated that they have filed suit for partition and separate possession and same is pending for consideration. The documents produced by the appellants are very much necessary to adjudicate the matter and she is illiterate and non filing of above documents are bonafide and untentional and prayed to allow the application for leading additional evidence in the interest of justice.

16. Per contra the respondent filed the objection to I.A. 41 rule 27 of CPC contending that the application filed by the appellants is not maintainable either in law or on facts and is liable to be set aside. The documents which are sought to be produced are not relevant documents. The original Will Deed has not seen the light of the day. The application filed by the appellants for production for additional documents only to drag the matter and prayed to reject the application.

17. It is pertinent to note that, Under Rule 27 of order 41 CPC the production of additional evidence whether oral or documentary is permitted only under the circumstances, which are where 1) the Trial Court had refused to admit the evidence though it ought to have been admitted, 2) the evidence was not available to the party

despite exercise of due diligence and 3) the appellate Court required additional evidence so as to enable it to pronounce better judgment or for any other substantial cause of like nature. Permission to adduce additional evidence cannot be refused on the ground that the party has not adduced any evidence in the Trial Court (**Jaipur Development Authority Vs. Kailashavathi AIR 1997 S.C. 3243**). Where the document sought to be produced were public documents having bearing on the merit of the case appellate Court was not justified in rejecting application U/O 41 Rule 27 (**Jamma Vs. Bhuwana, AIR 1998 Rajasthan 214 (216)**). Application to adduce additional evidence must be supported by an affidavit and the applicant must establish that he had not produced such evidence despite due diligence (**Narayanadas Vs. Second Addl. Dist. Judge, AIR 1999 Alahabad 74 (76)**). Documents which are important and essential for determination of real points in controversy should be permitted to produce in appellate Court (**Assam Hindu Mission Upper Newsprem Vs. Elaboris Tron, AIR 1999 Gau 39, 42**). Basic principles of admission of additional evidence are; 1) with best effort such evidence could not have been adduced at first instance, 2) the party affected should have an opportunity to rebut such additional evidence; and 3) such evidence is relevant for determination of the issue (**Shivaji Rao Nilangekar Vs. Mahesh Madhab, AIR 1987**

S.C. 294). An Appellate has to act in conformity with provisions of Order 41 R. 27 in admitting additional evidence **(Desh Raj Vs. Dharam Singh, 1986 HP 95)**. Before a party is allowed to produce additional evidence he has to establish that the evidence was not within his knowledge or could not after the exercise of due diligence be produced by him at the time when the decree appealed against was passed **(Jammala Ramulu Vs. Jammala Rajaiah, AIR 1998 AP 394, 395)**. If the documents are found to be relevant to decide the real issue in controversy and when the court felt that interest of justice requires that the document may be received exercising the power under order 41 Rule 27 CPC the appellate Court would receive the documents and consider their effects thereof. When the documents are sought to be produced in the Trial Court before the arguments are completed, normally they may be received an opportunity given to prove them and rebuttal if any and their relevance and effect they may have, be considered in deciding the issues arising in controversy (1994) 4 SCC 659. Deciding as to the eligibility of being entitled to produce evidence apex court has held in 1997 (7) SCC 297 that the provision U/O 41 R.27 is not confined to the parties who have adduced some evidence in Trial Court. Even a party who produced no evidence in Trial Court can seek permission to produce additional evidence/ documents. The

discretion given to the appellate court to receive and admit the additional evidence is not an arbitrary one, but is a judicial one circumscribed by limitation imposed in R.27 proper exercise of this discretion is essential. 1976(3) SCC 28 see also 1974 (2) SCC 741. Additional evidence can be received for any other substantial cause if it is considered necessary in the interest of Justice 1994 (4) SCC 659. Unless the party makes out a case as contemplated U/O 41 R.27 the court cannot admit documents, Court while exercising such power shall comply terms of rule 27 (2) and 29. Once the court decides to admit additional evidence court shall record reasoning and consider whether the additional evidence is necessary to do complete justice between the parties to enable the court to pronounce its judgment. **ILR 2007 KAR 773**. Production of additional evidence, refusal may result in denial of justice (**M/s. Patel Enterprises Vs. M.P.Ahuja ILR 1992 KAR 3772**). Additional evidence is permissible only when a party proves to have discovered new and important evidence essential and material for coming to a correct conclusion in respect of the matter in dispute and was not available to him at the trial despite exercise of due diligence and search. (**Ramakrishanaiah Vs. Dr.Madhava Krishnaiah, ILR 1963 MYS 881**) 1964 (Supp) MYS LJ 74 (DB). Court should always consider and approach where for reopening or

additional evidence with human touch apart from relying upon the power and strict technicalities of law. An application to reopen the hearing can be filed even before pronouncement of the judgment. After all courts are meant to protect the rights of the parties not to dispose of the rights in a light and casual manner relying upon technicalities on facts held that appellate court ought to have received the application for receiving additional evidence and passed orders on merits by considering those documents and their effect. **{Panchaksharappa Thotappa Vs. Chief officer, ILR 1998 (2) KAR 1206}**.

18. It is pertinent to note that, the appellants/defendants have filed present application for production of documents as additional evidence and produced the documents (1) Certified copy of the registered Will deed dated 31.07.1995, (2) Copy of election ID, Aadhar Card and Ration Card belongs to Fathima Mary, (3) Copy of Election ID, Aadhar Card and Ration Card of Anthony Raj (4) Copy of the plaint in O.S.No.846/2010 filed by Puttaraju against Mary Clara, (5) Copy of written Statement in O.S.No.846/2010 filed by Mary Clara. In order to establish the case of the appellants/defendants produced the documents along with I.A. is necessary. The additional evidence is required to decide issue involved in this case and to do complete justice between the parties in a partition suit.

It is pertinent to note that, the court can allow additional evidence if court finds that, an issue could not be resolved and decided without those evidence. The Court to examine the evidence find out whether the Court would require such evidence to enable the Court to pronounce the judgment. Apart from this it is well settled that the appellate Court has the power to allow additional evidence not only it is required such evidence to enable it to pronounce judgment. But also any other substantial cause, as well as when the court find it requires additional evidence to enable it to pronounce judgment. It is still considered that in the interest of justice something which can pronounce its judgment in a more satisfactory manner, such case will be one for allowing additional evidence for any other substantial cause under Order 41 Rule 27(1)(b) of the Code. In the instant case, the documents produced by the appellants/defendants i.e., (1) Certified copy of the registered Will deed dated 31.07.1995, (2) Copy of election ID, Aadhar Card and Ration Card belongs to Fathima Mary, (3) Copy of Election ID, Aadhar Card and Ration Card of Anthony Raj (4) Copy of the plaint in O.S.No.846/2010 filed by Puttaraju against Mary Clara, (5) Copy of written Statement in O.S.No.846/2010 filed by Mary Clara are required to adjudicate the issue involved in the partition suit and the evidence is required to enable the Court to pronounce the judgment for doing complete justice between the parties in a more satisfactory manner and to

decide the real issues in controversy and also in the interest of justice. If the application is not allowed it will cause hardship to the appellants/defendants which cannot be compensated in terms of money. Therefore, in view of the facts and circumstances of the case material available on record it can be said that appellants/defendants seeking to lead additional evidence established that notwithstanding the exercise of due diligence the appellants/defendants cannot produce the documents in evidence, therefore the application filed by the appellants/defendants for leading additional evidence deserves to be allowed. Therefore, in view of the ratio referred above, and in view of the facts and circumstances of the case, I am of the considered opinion that the documents are relevant and requires to decide real controversy and also requires in the interest of justice for doing complete justice between the parties as the plaintiff has filed suit for partition. The decision reported in **ILR 2007 KAR 1127(2007(6) Kant L.J. 531 in case of Shanthaveerappa V/s. K.N. Janardhanachari** wherein the Hon'ble High Court of Karnataka has directed the first Appellate Court itself shall record the oral evidence and in the light of such oral evidence and the oral and documentary evidence already on record dispose of the appeal on merit in accordance with law without resorting any remand. It is pertinent to note that the Hon'ble High Court of Karnataka

has issued circular number in **RJ No.102/2023** dated **18.08.2023** in pursuance of the order passed in **M.S.A. No. 10/2012 (RO) between M.J. Thimme Gowda V/s. Smt. Huchamma and others** wherein it was observed that the appellant court should refrain from unnecessary remanding the cases unless a case is made out under XLI Rule 23 C.P.C. It is pertinent to note that, the evidence placed on record of the Trial Court is not adequate to come to the conclusion this way or that way and therefore, I am of the considered view that one more opportunity is to be provided to the appellants/defendants for leading additional evidence in support of case of the appellants/defendants. Further it is held that the additional evidence is necessary to do complete justice between the parties. Under these circumstances, it is necessary to record the evidence by this court itself providing an opportunity to the appellants/defendants to lead evidence in support of the case of the defendants. Hence, I hold that the application filed U/o 41 Rule 27 of CPC filed by the appellants/defendants for leading additional evidence deserves to be allowed. Hence, I answer **point No.1 in the Affirmative.**

19. **Point No.2:-** In view of my findings on Point No.1, I proceed to pass the following:

ORDER

The application filed by the appellants/defendants under Order 41 R.27 CPC is allowed subject to payment of cost of Rs.6,000/-.

For evidence on the side of appellants/defendants.

[Dictated to the Stenographer directly on computer, corrected and signed by me, then order pronounced in the Open Court, on this the 23rd day of April, 2024].

[HOSAMANI PUNDALIK]

I Addl. District & Sessions Judge,
Bengaluru Rural District, Bengaluru.