

Decree in Appeal (Or. 41, R 35)

Form No. 9(Civil) Appendix-G

Govt. of Karnataka.

**IN THE COURT OF THE I ADDL. SENIOR CIVIL JUDGE AND JMFC.,
AT CHAMARAJANAGAR.**

R. A. No.06/2026.

Appellant:

Krishnaswamy,
S/o Late Chikkarangaiah,
Aged about 62 years,
R/at:- Jyothigowdanapura Village,
Chandakavadi Hobli,
Chamarajanagara Taluk and District

V/S

Respondents:

1. Mahadevaiah,
S/o Late Monnaanajaiah,
Aged about 60 years,
Dead by LR's
- 1(a) Tholasamma ,
W/o Late Mahadevaiah,
Aged about 56 years,
- 1(b). Shobha ,
D/o Mahadevaiah ,
Aged about 44 years,
- 1(c). Swamy ,
S/o Late Mahadevaiah,
Aged about 34 years,
- 1(d). Chandrashekara ,
S/o Late Mahadevaiah,
Aged about 42 years,

All are R/at:-

Jothigowdanapura Village,
Chandakavdi Hobli,
Chamarajanagara Taluk and District

Appeal on O.S. No.13/2019 from the Decree of the court of the Learned I Addl. Senior Civil Judge and JMFC., at Chamarajanagara dated:18.12.2025.

MEMORANDUM OF APPEAL

Appellant : Krishnaswamy
V/S

Respondents : Mahadevaiah Dead by Lrs and others

The above named appellants, appeal to the I Addl. Senior Civil Judge and JMFC., Court Chamarajanagar, from the decree in O.S. No. 13/2019 of the court of the Learned Addl. Civil Judge and JMFC., at Chamarajanagar dated:18.12.2025.

Appeal Filed on:21.01.2026

Prayer: The appellants prays that this Hon'ble court be pleased to pass a judgment and decree in favour of the appellants against the respondents,

- a) Order for call for records from the Hon'ble Addl.Civil Judge and J.M.F.C. court at Chamarajanagara Pertaining to O.S. No.13/2019.
- b) Set-aside the judgment and decree passed by the Hon'ble Addl.Civil Judge and J.M.F.C. Court at Chamarajanagara In O.S.No.13/2019.

OR

- c) Remand the O.S.No. 13/2019 to the trial court for fresh disposal providing opportunity to the appellants to file their evidence and will produce the documents and argument by allowing this appeal.

d) To grant such other relief as this Hon'ble court deems fit under that circumstances of the case with cost in the interest of justice and equity.

This appeal is coming on this the 24th day June - 2026 for final disposal before Sri. Sunil.R.B.com,LLB I Addl. Senior Civil Judge & J.M.F.C, Chamarajanagara, in the presence of Sri. R.Puttaswamy Advocate for Appellant, Sri.Shivaswamy Advocate for Respondent No.1(a to d).

By Pronouncing the judgment it is ordered that, The appeal filed by the appellant/plaintiff under order 41 Rule 1 R/w Sec.96 of CPC is hereby dismissed.

Further it is ordered and decreed that, Accordingly, the Judgment and decree in O.S.No. 13/2019 , dated :18.12.2025. Passed by the learned Addl. Civil Judge and JMFC., Chamarajanagara is hereby confirmed.

No order as to costs.

Given under my hand and seal of this court, this the 24th day of June -2026.

I Addl.Senior Civil Judge and JMFC
Chamarajanagara

MEMORANDUM OF COST INCURRED IN THIS APPEAL BY THE

	Appellant/s	Respondent/s
Court fee on plaint	: 25-00	--
Court fee on power of attorney	: -	--
Service of processes	: 42-00	--
Commissioner's Fee	: -	--
Fees copying translating etc:	-	--
Pleader's Fee	:	--
Total	: 67-00	--

I Addl.Senior Civil Judge and JMFC
Chamarajanagara

SCHEDULE PROPERTY

The property (shed) bearing Junger No.587, property No.308/1 measuring 2 Ankanas (measuring East to West 3 Gaja and North to South 6 Gaja) , Situated at Jyothigowdanapura Village, Chandakavadi Hobli, Chamarajanagara Taluk the above said property bounded on;

East by : Mahadevaiah S/o Monnanjaiah's House,

West by : House property of Nagamadaiah and Puttabasamma,

North by : Road,

South by : House off Chikkarangaiah S/o Gurubasavaiahna

Dasaiah

I Addl.Senior Civil Judge and JMFC
Chamarajanagara.