



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

REGULAR FIRST APPEAL NO. 1438 OF 2021 (INJ-)

BETWEEN:

1. THE COMMISSIONER
BANGALORE DEVELOPMENT AUTHORITY
SANKEY ROAD, BANGALORE.
2. THE ASSISTANT EXECUTIVE ENGINEER
BANGALORE DEVELOPMENT AUTHORITY
VISWESWARAIAH LAYOUT
SANKEY ROAD, BANGALORE

...APPELLANTS

(BY SRI. MURUGESH V CHARATI., ADVOCATE)

AND:

B Z SAIFULLA
S/O B S JIYAULLA
AGED ABOUT 39 YEARS
R/O NO.9/1 IV MAIN ROAD
I CROSS PADARAYANAPURA
BANGALORE-560 026

...RESPONDENT

THIS RFA IS FILED UNDER ORDER XXXXI RULE 1 R/W SEC.96 OF CPC., 1908 PLEASED TO SET ASIDE THE JUDGMENT AND DECREE DATED 17.08.2019, PASSED BY THE III ADDITIONAL CIVIL JUDGE, BENGALURU RURAL DISTRICT, BENGALURU IN OS. 179/2011 AND PASS SUCH OTHE ORDERS AS THIS HON'BLE COURT DEEMS FIT UNDER THE FACTS AND CIRCUMSTANCE OF THE CASE, IN THE INTEREST OF JUSTICE AND EQUITY.

Digitally signed by
DHANALAKSHMI
MURTHY
Location: HIGH
COURT OF
KARNATAKA



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

CORAM: HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

ORAL JUDGMENT

Learned counsel for the appellant filed a memo dated 27.03.2026 stating that the appeal may be returned to be present before the District Court.

2.The memo is taken on record.

3. This appeal is dismissed. The appeal is returned to be present before the appropriate legal forum within two weeks from **the date of receipt of certified copy of this Order.*

4. Office is directed to return the certified copies of the annexures, after retaining its xerox copies, forthwith.

**Sd/-
(H.T. NARENDRA PRASAD)
JUDGE**

CM
LIST NO.: 1 SL NO.: 50

**Corrected vide Chamber order dated: 15.04.2026*