



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE E.S.INDIRESH

REGULAR SECOND APPEAL NO.222 OF 2022

BETWEEN:

1. SRI. DYAVIAIAH @ DYAVA
S/O LATE KALASIERIAIAH
@ ERAIAH @ ERA,
AGED ABOUT 67 YEARS,
R/AT BOOVANAHALLI VILALE,
KASABA HOBLI, HASSAN TALUK
HASSAN DISTRICT-573201.
2. SMT. GANGAMMA
W/O DYAVIAIAH @ DYAVA
AGED ABOUT 63 YEARS,
R/AT BOOVANAHALLI VILALE,
KASABA HOBLI, HASSAN TALUK
HASSAN DISTRICT-573201.
3. SRI. SHIVANNA
S/O DYAVIAIAH @ DYAVA
AGED ABOUT 37 YEARS,
R/AT BOOVANAHALLI VILALE,
KASABA HOBLI, HASSAN TALUK
HASSAN DISTRICT-573201.

...APPELLANTS

(BY SRI. SATHISHA D.J., ADVOCATE)

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Location: HIGH
COURT OF
KARNATAKA



AND:

1. SMT. DEVIRAMMA
D/O DYAVAIAH @ DYAVA,
W/O KRISHNA
AGED ABOUT 42 YEARS,
R/AT THATTEKERE VILLAGE,
JANATHA COLONY,
KASABA HOBLI,
HASSAN TALUK,
HASSAN DISTRICT-573 201.
2. SMT. YASHODHA
W/O SANGMAESH
AGED ABOUT 35 YEARS,
R/AT JOKARAVALLI,
PALYA HOBLI,
ALUR TALUK,
HASSAN DISTRICT-573 204.
3. SMT. RUKMINI
W/O DEVARAJU
AGED 32 YEARS,
R/AT YADEHALLI,
BELAGODU HOBLI,
SAKALESH PURA TALUK,
HASSAN DISTRICT-573 202.
4. D.R. SOMASUNDER
S/O RAJANNA
AGED 61 YEARS,
R/AT BANDITHIMMANAHALLI VILLAGE,
ALUR TALUK,
HASSAN DISTRICT-573 204.



5. YOGISH
S/O MANJEGOWDA
AGED 43 YEARS,
R/AT KENCHATTAHALLI,
KASABA HOBLI,
HASSAN TALUK,
HASSAN DISTRICT-573201.

...RESPONDENTS

(BY SRI. SHARAN K., & MADAN K.S., ADVOCATES FOR R1;
R2, R4 & R5 ARE SERVED AND UNREPRESENTED)

THIS REGULAR SECOND APPEAL IS FILED UNDER SECTION 100 OF CODE OF CIVIL PROCEDURE, AGAINST THE JUDGMENT AND DECREE DATED 22.10.2021 PASSED IN R.A.NO.29/2017 ON THE FILE OF THE ADDITIONAL SENIOR CIVIL JUDGE, HASSAN, ALLOWING THE APPEAL AND MODIFYING THE JUDGMENT AND DECREE DATED 16.12.2016 PASSED IN O.S.NO. 430/2014 ON THE FILE OF THE III ADDITIONAL CIVIL JUDGE, AND JMFC, HASSAN.

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



CORAM: HON'BLE MR. JUSTICE E.S.INDIRESH

ORAL JUDGMENT

1. Learned counsel for the appellants submitted that a Memo has been filed seeking withdrawal of the appeal as not pressed.
2. Recording the submission and accepting the Memo filed by the appellants, this Regular Second Appeal is dismissed as withdrawn.

**SD/-
(E.S.INDIRESH)
JUDGE**

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