



**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 13<sup>TH</sup> DAY OF OCTOBER, 2025**

**BEFORE**

**THE HON'BLE MR. JUSTICE V SRISHANANDA**

**CIVIL REVISION PETITION NO. 58 OF 2021 (IO)**

**BETWEEN:**

BANGARAPPA  
S/O VENKATARAVANAPPA  
AGED ABOUT 59 YEARS  
OCCUPATION AGRICULTURE  
R/A MALLESHAPURA VILLAGE  
KASABA HOBLI, KORATAGERE TALUK  
TUMKUR DISTRICT - 572 129.

...PETITIONER

(BY SRI. H. ASHOK KUMAR, ADVOCATE)

**AND:**

1. SMT. LAKSHMAMMA  
W/O LATE NARASIMHAIAH  
AGED ABOUT 69 YEARS  
OCCUPATION - HOUSE WIFE  
R/A MALLESHAPURA VILLAGE  
KASABA HOBLI  
KORAGATERE TAULK  
TUMKUR DISTRICT - 572 129.
2. SMT. RAJAMMA  
W/O LATE GANGADHARAIHAH  
AGED ABOUT 53 YEARS  
OCCUPATION - HOUSE WIFE  
R/A MALLESHAPURA VILLAGE  
KASABA HOBLI, KORATAGERE TALUK  
TUMKUR DISTRICT - 572 129.
3. NARASIMHAMURTHY  
S/O LATE GANGADHARAIHAH

Digitally signed  
by  
SHARADAVANI  
B  
Location: High  
Court of  
Karnataka





AGED ABOUT 29 YEARS  
OCCUPATION - HOUSE WIFE  
R/A MALLESHAPRA VILLAGE  
KASABA HOBLI, KORTAGERE TALUK  
TUMKUR DISTRICT - 572 129.

4. THE PANCHAYATH DEVELOPMENT OFFICER  
HANCHIHALLI GRAMAPANCHAYATHI  
KASABA HOBLI, KORATAGERE TALUK  
TUMKUR DISTRICT - 572 129.

...RESPONDENTS

(BY SRI. RAVIKUMAR B.R, ADVOCATE FOR R1;  
R2 AND R4 ARE SERVED AND UNREPRESENTED;  
VIDE ORDER DATED 06.01.2025, NOTICE TO R3 IS HELD  
SUFFICIENT)

THIS CRP IS FILED UNDER SECTION 115 OF CPC, 1908  
AGAINST THE ORDER DATED 10.02.2020 PASSED ON IA IN  
OS.No.29/2019 ON THE FILE OF THE CIVIL JUDGE,AND JMFC,  
KORATAGERE, DISMISSING THE IA FILED UNDER ORDER 7  
RULE 11(a) AND (d) OF CPC FOR REJECTION OF PLAINT.

THIS PETITION, COMING ON FOR ADMISSION, THIS DAY,  
ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE V SRISHANANDA

**ORAL ORDER**

Heard Sri.H.Ashok Kumar, learned counsel for the  
revision petitioner. None appears for the respondents.

2. Revision petitioner is the defendant who has  
filed an application under Order VII Rule 11 (a) and (d) of  
CPC to reject the plaint in O.S.No.29/2019 on the ground



that suit is barred by limitation. Said application is dismissed on contest.

3. Being aggrieved by the same, defendant is before this Court.

4. Learned counsel for the revision petitioner reiterating the grounds urged in the revision petition contended that the present revision petitioner is the purchaser of the suit property. He further contended that admittedly, suit came to be filed belatedly and therefore, sought for rejection of the plaint.

5. Learned Trial Judge after entertaining the objections of the plaintiff, dismissed the application on the ground that question of limitation is a mixed question of law and fact and therefore, plaint cannot be rejected at the threshold.

6. This Court does not find any legal infirmity so as to interfere with the well reasoned order of the Trial Court.



7. Accordingly, following:

**ORDER**

- i. Revision petition is ***dismissed***.
- ii. However, all favourable points that are available to the revision petitioner shall be urged in the pending suit in accordance with law.

**Sd/-  
(V SRISHANANDA)  
JUDGE**

KAV  
List No.: 2 Sl No.: 33/CT: BHK