



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 26TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MRS. JUSTICE K.S. HEMALEKHA

MISCELLANEOUS FIRST APPEAL NO.1917 OF 2026(CPC)

BETWEEN:

1. SMT. GANGA LAKSHMAMMA
W/O. LATE MARIYAPPA,
AGED ABOUT 72 YEARS,
2. SRI. VIJAY KUMAR M.,
S/O. LATE MARIYAPPA,
AGED ABOUT 54 YEARS.

BOTH ARE RESIDING AT
NO.20, 1ST MAIN, 'B' STREET,
HOSA GUDDADAHALLI VILLAGE,
MYSURU ROAD,
BENGALURU - 560 026.

...APPELLANTS

(BY SMT. MONISHA M., ADVOCATE FOR
SMT. KAVITHA D., ADVOCATE)

AND:

1. SMT. NAGAMMA
W/O. NARAYANAPPA,
D/O. LATE NANJUNDAPPA, AGED ABOUT 62 YEARS,
GRAND-DAUGHTER OF LATE N. DASAPPA,
R/AT SIDIHOSAKOTE VILLAGE, KASABA HOBLI,
ANEKAL TALUK,





BENGALURU URBAN DISTRICT - 562 106.

2. SRI. ARJUN,
S/O. LATE NANJUNDAPPA,
GRAND-SON OF LATE N. DASAPPA,
AGED ABOUT 51 YEARS,
R/AT THIGALARA BEEDI, WARD NO.2,
ANEKAL TOWN AND TALUK,
BENGALURU URBAN DISTRICT - 562 106.
3. SRI. NAGESH,
S/O. LATE CHIKKANNA,
AGED ABOUT 46 YEARS,
R/AT NO.315/2,
LABOUR COLONY, 2ND CROSS,
MANDYA TOWN AND DISTRICT-571 401.

...RESPONDENTS

THIS MFA FILED U/O 43 RULE 1(r) OF CPC, AGAINST THE ORDER DATED 10.12.2025 PASSED ON I.A.NO.I IN M.A.NO. 5001/2025 ON THE FILE OF THE III ADDITIONAL DISTRICT AND SESSIONS JUDGE, MANDYA, (SITTING AT SRIRANGAPATNA) VIDE ANNEUXRE-B DISMISSING THE MISCELLANEOUS APPEAL FILED UNDER ORDER XLIII RULE 1(r) OF CPC.

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

CORAM: HON'BLE MRS. JUSTICE K.S. HEMALEKHA



ORAL JUDGMENT

Memo is filed seeking permission to withdraw the petition which reads as under:

"The undersigned advocate most respectfully submits that in the above case the appellants has to file Review Petition as per law, hence appellant request to withdraw the above appeal and file fresh petition with liberty.

Requesting before this Hon'ble Court to give direction to the office to return certified copies filed by the appellant in the above appeal, in the interest of justice and equity."

2. Memo is taken on record.

3. In view of the memo filed, the appeal is ***dismissed as withdrawn*** with liberty as prayed for.

4. Registry is directed to return the certified copy.

Sd/-

JUSTICE K.S. HEMALEKHA