



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. 1093 OF 2020 (INJ)

BETWEEN:

SRI SHIVAPRAKASH
S/O LATE NARAYANASWAMY
AGED ABOUT 35 YEARS
R/O NARAYANASWAMY BUILDING
SHIVAPURA MAIN ROAD
BENGALURU-560058.

...APPELLANT

(BY SRI. NAVEEN CHANDRA N., ADVOCATE)

AND:

SRI KEMPARAJU
S/O LATE NANJAPPA
AGED ABOUT 65 YEARS
R/O NO.281, 18TH CROSS
ANJANEYA TEMPLE STREET
NELAGADARANAHALLI
NAGASANDRA POST
BENGALURU-560073

...RESPONDENT

(BY SRI. K P JAYASIMHA, ADVOCATE, ALONG WITH
SRI. K RANGANATHA R., ADVOCATE)

THIS RFA IS FILED UNDER SECTION 96 R/W ORDER XLI
RULE 1 OF CPC PRAYING TO CALL FOR THE ENTIRE RECORDS
FROM THE XXXV ADDITIONAL CITY CIVIL JUDGE (CCH 36)
BENGALURU, IN OS. NO. 4007/2015 PERUSE THE SAME AND
SET ASIDE THE SAME AND ALLOW THE APPEAL FILED BY THE
APPELLANT WITH COSTS BY DISMISSING THE SUIT FILED BY
THE DEFENDANT IN RESPECT OF THE SUIT SCHEDULE
PROPERTY AND ETC.





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

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

ORAL JUDGMENT

1. None appears for the appellant.
2. Learned counsel for the respondent has filed a memo dated 27.03.2026 stating that the sole respondent died on 02.08.2025.
3. Memo is taken on record.
4. Since the sole respondent died on 02.08.2025, till date, no application has been filed for bringing the legal representatives of deceased respondent on record.
5. Hence, the appeal is ***dismissed as abated.***

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