



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 7TH DAY OF DECEMBER, 2023

BEFORE

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

MISCELLANEOUS FIRST APPEAL NO. 7726 OF 2019 (CPC)

BETWEEN:

SRI RAJU
S/O SRI PONNA PUJARI
AGED ABOUT 45 YEARS
R/A NO.9-4/2, 6TH CROSS
MASJID ROAD, OLD OKALIPURAM
BENGALURU-560021

...APPELLANT

(BY SRI.MUKESH K.V ., ADVOCATE AND
SRI. M. SRINIVASA MURTHY, ADVOCATE [ABSENT])

AND:

M/S NAVAKAR
REGISTERED PARTNERSHIP FIRM
HAVING ITS REGISTERED OFFICE
AT NO.22/1, MADARSAB LANE
COTTONPET BENGALURU-560053
REPRESENTED BY ITS PARTNERS
SRI SUSHIL KUMAR AND MR NOORULLA

...RESPONDENT

(BY SRI.R.V. SADASHIVAPPA, ADVOCATE)

THIS MFA IS FILED UNDER ORDER 43 RULE 1(r) OF CPC,
AGAINST THE ORDER DATED. 19.02.2019, PASSED ON
IA.NO.I, IN O.S. NO.7501/2018, ON THE FILE OF THE LVIII
ADDITIONAL CITY CIVIL AND SESSIONS JUDGE (CCH-59),
BENGALURU, ALLOWING THE IA.NO.I, FILED U/O.39 RULES 1
AND 2 OF CPC.

THIS APPEAL, COMING ON FOR ADMISSION, THIS DAY,
THE COURT DELIVERED THE FOLLOWING:





JUDGMENT

This appeal is filed by the defendant challenging the temporary injunction granted by the trial court dated 19.02.2019 on IA No.1 in O.S.No.7501/2018 filed by the plaintiff.

2. There is no interim order granted by this Court staying the order dated 19.02.2019. The impugned order is operating from 19.02.2019, till today. Now the suit is set down for evidence of the parties.

3. When the matter was called on 04.12.2023, none appeared for the appellant. Even today also there is no representation on behalf of the appellant. It appears that the appellant is not interested in prosecuting the appeal.

4. Hence, the appeal is dismissed for non-prosecution.

5. All pending applications stand disposed of.

Sd/-
JUDGE

CM
List No.: 3 SI No.: 42