



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF MAY, 2024

PRESENT

THE HON'BLE MR JUSTICE KRISHNA S DIXIT

AND

THE HON'BLE MR JUSTICE RAMACHANDRA D. HUDDAR

REGULAR FIRST APPEAL NO. 1785 OF 2013 (SP)

BETWEEN:

SMT. B. SUNITHA,
W/O BALAJI R,
AGED ABOUT 39 YEARS,
RESIDING AT FLAT NO.403,
PLOT NO.C58/18,
SHARADHA KUNJ APARTMENTS,
SECTO 462 NOIDA, UTTAR PRADESH.
REPRESENTED BY G.P.A. HOLDER,
R.NANJUNDASWAMY,
S/O RAMAIAH SHETTY,
AGED ABOUT 63 YEARS,
NO.29, VEERASWAMY STREET,
SEVEN WELLS, CHENNAI.

...APPELLANT

(BY SRI. M V ANIL KUMAR .,ADVOCATE)

AND:

SRI. M. PUTTANNA,
S/O LATE SRI.MUNIYAPPA,
AGED ABOUT 67 YEARS,
RESIDING AT NO.475/A,
17TH CROSS, J.P.NAGAR,
VI PHASE, BANGALORE-560 078.

...RESPONDENT

(BY SMT. ARCHITHA SURESH FOR
SRI. SHARATH S GOWDA.,ADVOCATE)





NC: 2024:KHC:17742-DB
RFA No. 1785 of 2013

THIS RFA FILED U/O XLI, RULE 1, R/W SEC.96 OF CPC, AGAINST THE JUDGMENT AND DECREE DATED 12.04.2013 PASSED IN O.S.8293/2005 ON THE FILE OF XVII-ADDL. CITY CIVIL AND SESSIONS JUDGE, BENGALURU, DISMISSING THE SUIT FOR SPECIFIC PERFORMANCE AND PERMANENT INJUNCTION.

THIS RFA, COMING ON FOR DISMISSAL THIS DAY, **KRISHNA S DIXIT.J.**, DELIVERED THE FOLLOWING:

JUDGMENT

A Coordinate Bench of this court vide orders dated 10.06.2021 & 24.04.2024 had granted time to file the Paper Book subject to payment of cost of Rs.3,000/- to the Advocates Welfare Fund, Bengaluru.

2. When the matter was called today, there is none to say anything about the compliance. Even otherwise, the case papers do not disclose compliance.

In view of the above, appeal is rejected.

Sd/-
JUDGE

Sd/-
JUDGE