



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

**DATED THIS THE 24<sup>TH</sup> DAY OF FEBRUARY, 2026**

**BEFORE**

**THE HON'BLE MS. JUSTICE JYOTI M**

**MISCELLANEOUS FIRST APPEAL NO.5164 OF 2021 (CPC)**

**BETWEEN:**

SRI H.G.NAGARAJU,  
S/O LATE H G GUNDAPPA,  
AGED ABOUT 48 YEARS,  
R/AT 471, 4TH AND 5TH CROSS,  
HOODI, WHITEFILED ROAD,  
MAHADEVAPURA POST,  
BANGALORE-560048.

...APPELLANT

(BY SRI. RAJESH GOWDA, ADVOCATE)

**AND:**

SMT SUMITHRAMMA,  
W/O NANJE GOWDA,  
AGED ABOUT 40 YEARS,  
DEVANAHALLI VILLAGE,  
JANGAMOAKOTE HOBLI,  
SHIDLAGHATTA TQ,  
CHIKKABALLAPUR DISTRICT-562102

...RESPONDENT

(BY SRI. MADHUSUDAN, ADVOCATE FOR  
SRI. VISWANATHA SETTY V., ADVOCATE)

THIS MISCELLANEOUS FIRST APPEAL IS FILED UNDER  
ORDER 43 RULE 1(r) OF THE CODE OF CIVIL PROCEDURE.





THIS MISCELLANEOUS FIRST APPEAL IS LISTED FOR ADMISSION, THIS DAY, THE JUDGMENT IS DELIVERED AS UNDER:

**ORAL JUDGMENT**

Sri.Rajesh Gowda, counsel for the appellant and Sri.Madhusudhan Rao, counsel on behalf of Sri.Viswanatha Setty V., for the respondent appeared in person.

2. The appeal is filed to set aside the order dated 22.03.2021 passed by the Court of Senior Civil Judge and JMFC, Sidlaghatta on I.A.No.3 in O.S.No.96/2020.

3. Counsel appearing for the respective parties jointly submit that the suit has been withdrawn on 23.01.2026.

4. The submission about the withdrawal of the suit is placed on record.

5. As the appeal is filed under Order XLIII of CPC challenging the interim application in the suit and the suit itself has been withdrawn by the plaintiff, hence, nothing



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survives for consideration in the appeal. Accordingly, the appeal is ***disposed of***.

**SD/-  
(JYOTI M)  
JUDGE**

SS  
List No.: 1 Sl No.: 47