



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 14TH DAY OF OCTOBER, 2025

BEFORE

THE HON'BLE MR. JUSTICE V SRISHANANDA

CIVIL REVISION PETITION NO. 319 OF 2017 (IO)

BETWEEN:

1. H MAARAANJINI,
S/O LATE HANUMANTHAIAH,
R/AT NO.1, 8TH MAIN, J.C. NAGAR,
KURUBURAHALLI,
BANGALORE-560 086.
2. H. MAARE GOWDA
S/O LATE HANUMANTHAIAH,
AGED ABOUT 53 YEARS,
R/AT ADIKIMARANAHALLI VILLAGE,
DASANAPURA HOBOLI,
BANGALORE NORTH TALUK - 562 123.
3. H. RAJANNA
S/O LATE HANUMANTHAIAH,
AGED ABOUT 51 YEARS,
R/AT ADIKIMARANAHALLI VILLAGE,
DASANAPURA HOBOLI,
BANGALORE NORTH TALUK - 562 123.
4. H. KRISHNEGOWDA
S/O LATE HANUMANTHAIAH,
R/AT ADIKIMARANAHALLI VILLAGE,
DASANAPURA HOBOLI,
BANGALORE NORTH TALUK - 562 123.



5. H BHAGYA
D/O LATE HANUMANTHAIAH,
AGED ABOUT 47 YEARS,
R/AT RAMOHALLI, KENGERI HOBLI,
BANGALORE NORTH TALUK.
6. A.H.THIMMARAYAPPA
S/O LATE SANNA HANUMANTHAIAH,
AGED ABOUT 81 YEARS,
R/AT ADIKIMARANAHALLI VILLAGE,
DASANAPURA HOBLI,
BANGALORE NORTH TALUK - 562 123.

...PETITIONERS

(BY SRI. SONA VAKKUND .,ADVOCATE)

AND:

1. SMT. H MUNILAKSHMI
@ H. LAKSHMI
D/O LATE HANUMANTHAIAH,
W/O NANJEGOWDA,
R/AT NO.8 SHREE PRADA,
20TH MAIN, J.C.NAGAR,
MAHALAKSHMIPURAM,
KURUBURAHALLI,
BANGALORE-560 086.
2. THE MANAGER KUEHNE
NAGEL PVT LTD.,
HAROKYATHANAHALLI VILLAGE,
DASANAPURA HOBLI,
NEXT TO BHIKSHU DHAMA,
BANGALORE-562 123.

...RESPONDENTS

(BY SRI. KRISHNA GOWDA B.,ADVOCATE)



THIS CRP IS FILED UNDER SECTION 115 OF CPC., AGAINST THE ORDER DATED 13.03.2017 PASSED ON IA NO.7 IN OS NO.654/2014 ON THE FILE OF THE SENIOR CIVIL JUDGE, NELAMANGALA, REJECTING THE IA NO.7 FILED UNDER ORDER 7 RULE 11(d) OF CPC., TO REJECTION THE PLAINT.

THIS PETITION, COMING ON FOR ADMISSION, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE V SRISHANANDA

ORAL ORDER

Heard Smt. Sona Vakkund, learned counsel for the petitioner and Sri. Krishna Gowda B, learned counsel for contesting respondent No.1.

2. The issue involved in the present revision petition is with regard to the maintainability of the suit which was questioned by the defendant by filing an application under Order VII Rule 11D of CPC.

3. However, in view of authoritative pronouncement of the Hon'ble Apex Court in the case of ***Vineeta Sharma Vs. Rakesh Sharma*** reported in ***(2020) 9 SCC 1***, the ground that was sought for rejection of the plaint would not survive for further consideration.



4. Accordingly, the present revision petition is dismissed.

5. However, liberty is reserved for the defendant is at liberty to canvass all favorable points in the pending suit in accordance with law.

SD/-
(V SRISHANANDA)
JUDGE