



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF OCTOBER, 2025

BEFORE

THE HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR

REGULAR FIRST APPEAL NO.1646 OF 2023 (PAR/POS)

BETWEEN:

SRI R CHANDRASHEKAR
SINCE DEAD BY LRS.

SMT. PARVATHAMMA
W/O LATE SRI.R.CHANDRASHEKAR
AGED ABOUT 60 YEARS
R/AT NO.17/1, NEW TIMBER YARD LAYOUT
MYSORE ROAD
BENGALURU – 560 026.

...APPELLANT

(BY SRI. G S VENKAT SUBBA RAO, ADVOCATE)

AND:

1. SMT RANGALAKSHMI
W/O S.G. SATHISH
AGED ABOUT 41 YEARS,
R/AT NO.17/1, NEW TIMBER YARD LAYOUT,
MYSORE ROAD,
BENGALURU – 560 026.
2. SMT RUKMINI
W/O KRISHNA MURTHY
AGED ABOUT 39 YEARS,
NO.266, 10TH MAIN, 1ST CROSS,
HANUMANTHANAGAR,
BENGALURU – 560 019.
3. SMT. LEELAVATHI
W/O THAYAGARAJ,
AGED ABOUT 36 YEARS,
R/AT 6TH MAIN, 5TH CROSS,
JNANAJYOTHI NAGAR
BENGALURU – 560 056.
4. SRI. JAYANTH,
S/O R. CHANDRASHEKAR,

Digitally signed
by CHANDANA
B M
Location: High
Court of
Karnataka





AGED ABOUT 33 YEARS,
R/AT NO.17/1,
NEW TIMBER YARD LAYOUT,
MYSORE ROAD,
BENGALURU – 560 026.

5. SMT. YASHODHA,
W/O MUTHURAJ,
AGED ABOUT 31 YEARS,
R/AT NO.17/1,
NEW TIMBER YARD LAYOUT,
MYSORE ROAD,
BENGALURU – 560 026.

...RESPONDENTS

(BY SRI. C SHANKAR REDDY, ADVOCATE FOR R-1;
SRI. SANCHAN JAINANDAN, ADVOCATE FOR R-2 & R-3
SRI. A. RAJESH, ADVOCATE FOR R-5)

THIS RFA IS FILED UNDER SEC.96 OF CPC AGAINST THE ORDER
DATED 05.04.2022 PASSED IN FDP NO.155/2017 ON THE FILE OF
PRINCIPAL CITY CIVIL AND SESSIONS JUDGE, BENGALURU, ALLOWING
THE PETITION.

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

CORAM: HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR

ORAL JUDGMENT

Learned counsel for the appellant has filed a memo to the
effect that since the appellant has filed Misc.P.No.910/2023 on
31.07.2025 challenging the impugned judgment and final decree
dated 05.04.2022 passed in FDP No.155/2017, the present appeal
challenging the aforesaid impugned final decree, which is already
the subject matter of Misc.P.No.910/2023, the appeal may be



disposed of as withdrawn reserving liberty in favour of the appellant to prosecute the said Misc.P.No.910/2023, in accordance with law.

2. The said memo is placed on record.

3. Accordingly, appeal is disposed of as withdrawn. Liberty is reserved in favour of the appellant to prosecute Misc.P.No.910/2023, in accordance with law .

4. All rival contentions on all aspects of the matter are kept open and no opinion is expressed on the same.

Sd/-
(S.R.KRISHNA KUMAR)
JUDGE