



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF FEBRUARY, 2026

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

THE HON'BLE MR. JUSTICE S RACHAIAH

REGULAR FIRST APPEAL NO. 1853 OF 2017 (SP)

BETWEEN:

1. SRI. D.H. NAVANATHSA
SINCE DECEASED BY HIS LR'S

1(a) SMT. S.H. MEENA KUMARI
AGED 53 YEARS,
W/O LATE D.H. NAVANATHSA,
NO.55-55/1, 1ST MAIN ROAD,
ALBERT VICTOR ROAD,
CHAMARAJPET,
BANGALORE-560 004.

1(b) SRI. D.N. GOVIND
AGED 33 YEARS,
S/O LATE D.H. NAVANATHSA,
RESIDING AT NO.3 (OLD NO.63),
"HANUMAKRISHNA KRUPA",
2ND CROSS, OPP. GALAXY COMPLEX,
RESIDENCY ROAD,
BANGALORE-560 001.

...APPELLANTS

(BY SRI. MANJUNATH S., ADVOCATE FOR APPELLANT NO.1(b))

AND:

1. SRI. D.H. NARAYANASA
S/O LATE D.H. HANUMANTHSA,





AGED ABOUT 57 YEARS
NO.14, 14/1 & 14/2,
SESHADRI ROAD,
BANGALORE-560 053.

...RESPONDENT

(BY SRI. RAHUL S. REDDY, ADVOCATE)

THIS RFA IS FILED UNDER SEC.96 AND UNDER ORDER XLI RULE 1 OF CPC., AGAINST THE JUDGMENT AND DECREE DATED 25.07.2017 PASSED IN OS.NO.787/2011 ON THE FILE OF THE II ADDITIONAL SENIOR CIVIL JUDGE, BENGALURU, RURAL DISTRICT, BENGALURU, DISMISSING THE SUIT FOR SPECIFIC PERFORMANCE.

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

CORAM: HON'BLE MR. JUSTICE D K SINGH
and
HON'BLE MR. JUSTICE S RACHAIAH

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE D K SINGH)

Mr. Sangamesh R.B., learned counsel for the appellants submits that he has given NOC to the appellants. He has also filed a memo seeking permission to retire from the case.

2. The memo is taken on record and learned counsel for the appellants is permitted to retire from the case.



3. There is no representation on behalf of the appellants by any other counsel or by the appellants themselves.

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

**Sd/-
(D K SINGH)
JUDGE**

**Sd/-
(S RACHAIAH)
JUDGE**

RKA
List No.: 1 SI No.: 3