



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF FEBRUARY, 2026

PRESENT

THE HON'BLE MR. JUSTICE JAYANT BANERJI

AND

THE HON'BLE MR. JUSTICE T.M.NADAF

REGULAR FIRST APPEAL NO. 2110 OF 2012 (DEC/INJ)

BETWEEN:

SRI. D.NAGARAJ
S/O LATE DEVAPPA
AGED ABOUT 73 YEARS,
NO.1, 3RD CROSS, 1ST MAIN,
SOMESWARNAGAR,
BANGALORE - 560 011.

...APPELLANT

[BY SRI. RAGHAVENDRA K., ADVOCATE (ABSENT)]

AND:

SRI. D.SHIVANNA,
SINCE DEAD BY LR'S

- 1(a) SMT. SAVITHRAMMA
W/O LATE D.SHIVANNA,
AGED ABOUT 70 YEARS,
- 1(b) DEVARAJU
S/O LATE D.SHIVANNA,
AGED ABOUT 50 YEARS,
- 1(c) SMT. GNANESHWARI
D/O LATE D.SHIVANNA,
AGED ABOUT 48 YEARS,
- 1(d) SMT. KOMAL.S
S/O LATE D.SHIVANNA,
AGED ABOUT 46 YEARS,





1(e) SMT. VANAIAKSHI.S
D/O LATE D.SHIVANNA,
AGED ABOUT 44 YEARS,

1(f) MADANKUMAR.S
S/O LATE D.SHIVANNA,
AGED ABOUT 46 YEARS,

ALL ARE R/AT:
NO.56, 1ST MAIN,
'A' CROSS,
BYATARAYANAPURA
NEW EXTENSION,
MYSORE ROAD,
BENGALURU-560 026.

...RESPONDENTS

[BY SMT. SUKANYA H.D., ADVOCATE
FOR R1(a TO d) AND R1(f);
SRI. R ATHMANANDA, ADVOCATE FOR R1(e)]

THIS RFA IS FILED U/SEC.96 OF CPC, AGAINST THE
JUDGMENT AND DECREE DATED 20.09.2012 PASSED IN
O.S.NO.499/2008 ON THE FILE OF X-ADDITIONAL CITY CIVIL AND
SESSIONS JUDGE, BENGALURU, DISMISSING THE SUIT FOR
DECLARATION, POSSESSION, MANDATORY INJUNCTION AND
PERMANENT INJUNCTION.

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

CORAM: HON'BLE MR. JUSTICE JAYANT BANERJI
and
HON'BLE MR. JUSTICE T.M.NADAF



ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE JAYANT BANERJI)

No one appears despite the matter being called out twice.
The appeal is dismissed for non-prosecution. Interim order, if
any, stands vacated.

Sd/-
(JAYANT BANERJI)
JUDGE

Sd/-
(T.M.NADAF)
JUDGE

KG
List No.: 1 Sl No.: 29