



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 26TH DAY OF FEBRUARY, 2026

BEFORE

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

WRIT PETITION NO. 22192 OF 2023 (GM-CPC)

BETWEEN:

SRI POTHALAPPA
DEAD BY LRS

1. SRI. MUNIKRISHNAPPA,
S/O LATE POTHALAPA,
AGED ABOUT 70 YEARS
2. SMT. PRAMEELAMMA,
D/O LATE POTHALAPPA,
AGED ABOUT 66 YEARS,
3. SRI. MUNIRAJU
S/O LATE POTHALAPPA,
AGED ABOUT 60 YEARS,
4. SRI. ANAND
S/O LATE POTHALAPPA,
AGED ABOUT 52 YEARS,
5. SMT. KANTHAMMA
D/O LATE POTHALAPPA
AGED ABOUT 62 YEARS,

ALL ARE R/AT H.S. GARDEN,
WARD NO.21,
NAKKALAKUNTE,
CHIKKABALLAPUR CITY-562 101.

...PETITIONERS

(BY SRI. MANJUNATHA S.V., ADVOCATE)





AND:

1. SRI NAZEER
S/O LATE SHAIK HYDER,
M/O LATE BEBIJAN PYARIMA
AGED ABOUT 67 YEARS,

SRI BASHEER,
DEAD BY LR'S

2. SMT. KOUSAR BANU
W/O LATE BASHEER,
AGED ABOUT 60 YEARS,

3. SMT. HAJIRA BANU
D/O LATE BASHEER,
AGED ABOUT 39 YEARS,

4. SMT. SUHEB,
S/O LATE BASHEER,
AGED ABOUT 39 YEARS,

5. SRI MUSHAB
S/O LATE BASHEER,
AGED ABOUT 37 YEARS,

R1 TO R5 ARE ALL R/AT
DODDA BAJANE MANE ROAD,
WARD NO.27,
OPP. MITHUN PROVISION STORE,
CHICKBALLAPUR TOWN AND DISTRICT-562 101.

6. SRI ENAYATHULLA,
S/O LATE SHAIK HYDER,
M/O LATE BEBIJAN ALIAS PYARIMA
AGED ABOUT 63 YEARS,
R/AT HOUSE NO. 196/2
BEHIND BALAJI TALKIES,
3RD DIVISION,
CHICKBALLAPURA TOWN AND DISTRICT-562 101.

7. SRI ZABIULLA
S/O SYED GAFFER SABI,



AGED ABOUT 65 YEARS,

8. SRI SAMIULLA
SYED GAFFER SABI
AGED ABOUT 60 YEARS,
9. SRI SYED TANVEER,
S/O SYED GAFFER SABI
AGED ABOUT 55 YEARS,
10. SRI SYED RAHAMATHULLA,
S/O SYED GAFFER SABI,
AGED ABOUT 50 YEARS,

RESPONDENT NOS.6 TO 10
ARE R/AT SULTHANAPETE VILLAGE,
NANDI HOBLI,
CHIKKBALLAPUR TALUK AND DISTRICT-562 101.

...RESPONDENTS

(BY SRI. P. SUBRAMANYA, ADVOCATE FOR CAV/R2 TO R5)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASHING THE IMPUGNED ORDER DATED 09.08.2023, PASSED BY THE HON'BLE II ADDL. CIVIL JUDGE AND JMFC, AT CHICKBALLAPUR, PASSED IN OS.NO.152/2013, PASSING THE ORDER OF DISMISSAL NOT TO IMPLEAD THE PROPOSED DEFENDANTS NO.4 TO 7 AS PARTIES IN THE MATTER, ON IANO.21, UNDER ORDER 1 RULE 10(2) OF CPC FILED VIDE ANNEXURE-A.

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



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

ORAL ORDER

Learned counsel for the petitioners has filed a memo seeking leave of this Court to withdraw the petition.

The aforesaid memo is taken on record.

Accordingly, the petition is disposed of as withdrawn.

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

MDS
List No.: 2 SI No.: 72