



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 26TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE R DEVDAS

CIVIL REVISION PETITION NO. 651 OF 2023 (IO)

BETWEEN:

SRI BHASKAR @ BABU
S/O KRISHNAPPA AND SUMITHRA
AGED ABOUT 41 YEARS
R/AT NO.10, 1ST CROSS
1ST MAIN, VISHVESHWARAYA ROAD
BYATARAYANAPURA
BENGALURU-560 092.

...PETITIONER

(BY SRI. YASHAS K., ADVOCATE)

AND:

1. SMT. JAYANTHI
W/O LATE J M CHANDRAPPA
AGED ABOUT 53 YEARS
R/AT NO.867, D BLOCK
SAHAKARA NAGAR
BENGALURU-571 105.
2. SMT. PUTTAMMA
W/O LATE MUNISHAMAPPA
(SINCE DEAD BY LR'S)
- 2(A) SRI J. M. RAJANNA
S/O LATE MUNISWAMAPPA
AGED ABOUT 65 YEARS.

Digitally signed
by JUANITA
THEJESWINI
Location: HIGH
COURT OF
KARNATAKA



2(B) SMT. SUMITHRA
D/O LATE MUNISWAMAPPA
W/O KRISHNAPPA
AGED ABOUT 58 YEARS.

2(C) SMT. JAYASHREE
D/O LATE PREMA
W/O SHAMANNA
D/O LATE MUNISWAMAPPA
AGED ABOUT 40 YEARS

SL.NO.2(A) TO 2(C)
RESIDING AT NO. 10
1ST CROSS, 1ST MAIN
VISHVESHWARAYA ROAD
BYATARAYANAPURA
BENGALURU- 560 092.

3. SMT. ROOPA
D/O PRABHAVATHI
D/O LATE J. M. CHANDRAPPA
AGED ABOUT 29 YEARS.

4. SMT. PRABHAVATHI
W/O LATE J. M. CHANDRAPPA
AGED ABOUT 55 YEARS

SL. NO. 3 & 4 R/AT
NO.2165, D BLOCK
CHANNAKESHAVA NILAYA
SAHAKARA NAGAR
BANGALORE-560 092.

...RESPONDENTS

(BY SRI. CHOKKAREDDY, ADVOCATE FOR R1;
SRI. PRASANNA KUMAR S, ADVOCATE
FOR R2(A TO C);
SRI. SUYOG HERELE, ADVOCATE FOR R3 & R4)



THIS CRP IS FILED UNDER SECTION 115 OF CPC, SET ASIDE THE ORDER DATED 26.08.2023 PASSED BY THE LEARNED PRINCIPAL CITY CIVIL AND SESSIONS JUDGE AT BENGALURU, ON THE APPLICATION (IA.NO.02) FILED BY THE PETITIONER/DEFENDANT NO.4 HEREIN IN O.S.NO.7328/2022 AND CONSEQUENTLY ALLOW THE SAID APPLICATION AS PRAYED FOR THEREIN AND DISMISS THE SUIT IN O.S.NO.7328/2022.

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

CORAM: HON'BLE MR. JUSTICE R DEVDAS

ORAL ORDER

Learned Counsel or the respondent No.1/plaintiff submits that the application filed by the petitioner/defendant No.4 under Order VII Rule 11(c) read with Section 151 of CPC was disposed of by the Trial Court by the impugned order directing the plaintiff to calculate the Court Fee as per Section 38 of the Karnataka Court Fees and Suits Valuation Act and pay the same within a period of 30 days. Thereafter, a fresh valuation slip has been filed by the plaintiff and that has been challenged by the defendant and subsequently, the defendant has filed a writ petition before this Court in W.P.No.15298/2025.



2. The learned Counsel further submits that the application filed under Order VII Rule 11(c) having been disposed of by the Trial Court with such a direction to the plaintiff to file a fresh valuation slip, and the plaintiff having filed the fresh valuation slip subsequently, all further proceedings pursuant to the impugned order have become *infructuous*.

3. There is substance in the submissions made by the learned Counsel for the respondent/plaintiff.

4. This Court is of the considered opinion that having regard to the express provisions contained in Order VII Rule 11(c) of CPC, such an application filed by the defendant having regard to the facts stated hereinabove could not have been entertained by the Trial Court. Nevertheless, since subsequently a direction has been issued by the Trial Court to the plaintiff to file a fresh valuation slip and the plaintiff has filed a fresh valuation slip, all further cause of action to raise a challenge to the order has come to an end. It is also a fact that the



petitioner/defendant No.4 has filed a writ petition before this Court having regard to the subsequent developments.

5. In that view of the matter, the Civil Revision petition stands ***disposed of***.

6. Pending Interlocutory Application(s), if any, stand disposed of.

**Sd/-
(R DEVDAS)
JUDGE**

DL
List No.: 1 Sl No.: 30