



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MS. JUSTICE JYOTI M

MISCELLANEOUS FIRST APPEAL NO.4373 OF 2017 (CPC)

BETWEEN:

1. SRI. A.KRISHNAPPA
S/O LATE APPAYANNA,
AGED 67 YEARS,
R/AT NO.94,
APPAYANNA 1ST AND 2ND CROSS,
KONANA KUNTE MAIN ROAD,
J.P.NAGAR, 7TH PHASE,
BENGALURU-560 068.
2. A.ANAND
AGED ABOUT 61 YEARS,
S/O LATE APPAYANNA,
R/AT NO.37, 2ND CROSS, TEACHER'S COLONY
BSK 1ST STAGE, BANASHANKARI
BENGALURU-560076.
3. A.KUMAR
AGED ABOUT 53 YEARS,
S/O LATE APPAYANNA,
R/AT JALADHARA, NO.65,
4TH MAINTAINABLE PAUL CHINNAPPA LAYOUT,
NEAR ISRO LAYOUT, BIKASIPURA,
BENGALURU-560 061.

...APPELLANTS

(BY SRI. ABHINAV R., ADVOCATE)

AND:

1. SMT. AKKAYAMMA
W/O LATE APPAYANNA,





NO.95, APPAYANNA 1ST & 2ND CROSS,
KONANA KUNTE MAIN ROAD,
J.P.NAGAR, 7TH PHASE,
BENGALURU-560 068
SINCE DECEASED REPRESENTED BY LRS.

- 1(A). SMT.A.RATHNAMA
AGED ABOUT 62 YEARS,
W/O MUNIYAPPA, NO.101,
3RD MAIN, PRIKASAPURA,
OPP TO ISRO LAYOUT,
BENGALURU-560 062.
- 1(B). SMT.BHAGYAMA
AGED ABOUT 55 YEARS,
W/O BASAVARAJU,
NO.5/1, SHABARI NILAYA,
NEAR MICHAIL SCHOOL,
GANGANANAGUDI EXTENSION,
JALAHALLI POST,
BENGALURU-560 073.
- 1(C). SMT.SUGANAMA
AGED ABOUT 55 YEARS,
W/O MALLESH,
NO.47, 3RD MAIN, 2ND CROSS,
BIKASIPURA,
PAL CHAMP LAYOUT,
BENGALURU-560 062.
2. SMT.VATSALA PARCHURI
AGED 43 YEARS,
D/O BASAVAIHAH,
R/AT NO.2731,
PRIME ROSE LANE EAST,
YORK P.A.-17402
UNITED STATES OF AMERICA.
3. SUNDAR ACHAR
R/AT APPAYANNA LAYOUT,
KONANA KUNTE,



DODDAKALASENDRA POST,
KANAKAPURA ROAD,
BENGALURU-560 032.

4. R.MADHU
NO.44, APPAYANNA LAYOUT,
KONANA KUNTE,
DODDAKALASENDRA POST,
KANAKAPURA ROAD,
BENGALURU-560 032.
5. SMT.VIJAYALAKSHMI RAGHURAM
W/O DR.RAGHURAM,
NO.105, KARISHMA FARM,
GUBBALALA POST,
BENGALURU-560 061.
6. SRI.NAGARAJA
MAJOR IN AGE,
S/O SONNAPPA,
NO.61, 13TH MAIN,
4TH BLOCK, JAYANAGAR,
BENGALURU-560 011.
7. J.P.NARASIMHA MURTHY
MAJOR IN AGE,
S/O D.JAYARAM,
8. SMT.K.MANJULA
MAJOR IN AGE,
W/O J.P.NARASIMHA MURTHY,

RESPONDENTS NO.7 AND 8 ARE
R/AT HARI NILAYA, NO.15,
APPAYANNA LAYOUT,
KONANA KUNTE,
KANAKAPURA ROAD,
BENGALURU-560 062.

9. SRI.SHIVA DAS SHENOY
NO.46, APPAYANNA LAYOUT,



KONANA KUNTE,
KANAKAPURA ROAD,
BENGALURU-560 062.

10. SRI.BOGHA CHAR
MAJOR IN AGE,
R/AT NO.18, 1ST CROSS,
TEACHER'S COLONY,
NANJUNDESHWARA NILAYA,
BSK 1ST STAGE,
BENGALURU-560 076.
11. SRI.S.PALANI VELU
AGED 66 YEARS,
S/O L.S.CHOWDIAN CHETTIYAR,
R/AT NO.26, 2ND CROSS,
2ND MAIN, POTHALAPPA GARDEN,
ADUGODI POST, HOSUR MAIN ROAD,
BENGALURU-560 030.
12. SRI.THILAGA RAJ.G
AGED 60 YEARS,
S/O GANAPATHY CHETTIAR,
R/AT NO.41, 6TH MAIN,
BSK 1ST STAGE,
SREENIVASA NAGAR,
BENGALURU-560 050.
13. SMT.R.P.GAYATHRI DEVI
MAJOR IN AGE,
W/O PILLARANGASWAMY
NO.69/18, 8TH MAIN,
6TH CROSS, BYRASANDRA OFFICIAL COLONY,
JAYANAGAR, 1ST BLOCK EAST,
BENGALURU-560011.
14. SMT.SHARADAMMA
W/O LAKSHMI PATHY
NO.85/164, BDA FLATS,
DOMMALUR 2ND STAGE,
BENGALURU-560071.



15. SMT VANAJA SRI RAMULU
W/O SRI RAMULU,
NO.61,13TH MAIN,
4TH BLOCK EAST, JAYANAGAR,
BENGALURU-560011.
16. SRI R SRINIVASA
AGED ABOUT 56 YEARS
S/O RAMAIAH,
NO.51, 4TH CROSS,
2ND MAIN, R.K.LAYOUT,
PADMANABHANAGAR,
BENGALURU-560 070.
17. SMT KUMUDA BHASKARAN
AGED ABOUT 49 YEARS
W/O T BHASKARAN,
SITE NO.42, APPAYANNA LAYOUT,
(ADARSHA LAYOUT), KONANAKUNTE,
BENGALURU-560 062.
R/BY HER GPA HOLDER,
SRI G.T.HARIKRISHNA
18. SRI BALACHANDRA PUTTY
AGED ABOUT 62 YEARS
S/O RAM C PUTTI,
SITE NO.23,APPAYANNA LAYOUT,
(ADARSHA LAYOUT), KONANAKUNTE,
BENGALURU-560 062.
19. SMT KUSUMA SUDHAKAR
AGED ABOUT 77 YEARS
W/O G.SUDHAKAR,
SITE NO.8, APPAYANNA LAYOUT,
(ADARSHA LAYOUT), KONANAKUNTE,
BENGALURU-560 062.
20. SRI SUDHINDRA RAO
AGED ABOUT 66 YEARS
S/O R.G.KRISHNA RAO,
SITE NO 25, APPAYANNA LAYOUT,



(ADARSHA LAYOUT) KONANAKUNTE,
BENGALURU-560 062.

21. SRI B S SATHYANARAYANA
AGED ABOUT 58 YEARS
S/O LATE B S SUBBARAO,
SITE NO 21, APPAYANNA LAYOUT,
(ADARSHA LAYOUT) KONANAKUNTE
BENGALURU-560 062.
22. SRI MADHAVA UMMARJI
AGED ABOUT 40 YEARS
S/O VASANTH UMARJI
SITE NO.34, APPAYANNA LAYOUT,
(ADARSHA LAYOUT) KONANAKUNTE,
BENGALURU-560 062.
23. SRI G N UPADHYAYA
AGED ABOUT 51 YEARS
S/O G KRISHNA UPADHYAYA,
SITE NO.31, APPAYANNA LAYOUT,
(ADARSHA LAYOUT) KONANAKUNTE,
BENGALURU-560 062.
24. SRI G N JANARDHANA
AGED ABOUT 58 YEARS
S/O LATE G NARASAPPA,
SITE NO.32, APPAYANNA LAYOUT,
(ADARSHA LAYOUT) KONANAKUNTE,
BENGALURU-560 062.
25. SMT ARATHI C R
AGED ABOUT 48 YEARS
W/O LATE SATHYANARAYANA,
SITE NO.75, 17TH CROSS,
CHINMAYANA PALYA,
AUDUGODI POST,
BENGALURU-560 030
26. SMT GODAVARI BAI
AGED ABOUT 65 YEARS



W/O LATE M SRIRAM RAO,
SITE NO.5, APPAYANNA LAYOUT
(ADARSHA LAYOUT) KONANAKUNTE,
BENGALURU-560 062.

...RESPONDENTS

(BY SRI. K SRINIVASA, ADVOCATE FOR
R3, R4, R7 TO R9, R13, R18 AND R20 TO R26;
SRI. T.SRINIVASAN, ADVOCATE FOR R5 AND R6;
SRI. RIYAZ AHMED, ADVOCATE FOR R16;
R1(C) AND R10 ARE SERVED AND UNREPRESENTED)

THIS MISCELLANEOUS FIRST APPEAL IS FILED UNDER
ORDER 43 RULE 1(r) OF THE CODE OF CIVIL PROCEDURE,
1908.

THIS MISCELLANEOUS FIRST APPEAL IS LISTED FOR
ORDERS, THIS DAY, THE JUDGMENT IS DELIVERED AS UNDER:

ORAL JUDGMENT

The captioned appeal is filed to set aside the order
dated:06.03.2017 passed by the Court of XXXVIII Additional
City Civil and Sessions Judge, Bengaluru, on I.A. in
O.S.No.6286/2007.

2. The Registry concerned has furnished the E-court
status of O.S.No.6286/2007. A perusal of the same depicts that
the suit has been disposed on 12.11.2019. In view of disposal
of the suit, nothing survives for consideration in the captioned
appeal.



NC: 2026:KHC:10991
MFA No. 4373 of 2017

3. Resultantly, the appeal is ***dismissed as infructuous.***

**SD/-
(JYOTI M)
JUDGE**

SS
List No.: 1 Sl No.: 19