



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 23RD DAY OF MARCH, 2026

PRESENT

THE HON'BLE MR. JUSTICE B.M.SHYAM PRASAD

AND

THE HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

WRIT APPEAL NO.100144 OF 2026 (GM-RES)

BETWEEN:

1. TAHERA, W/O. LATE RIYAZ NAIK,
AGE: 50 YEARS, OCC: NIL,
R/O: 2043, NEHARU CHOWK,
SAMADHAN HOTEL,
NIPPANI – 591 237.
 2. IMRAN, S/O. LATE RIYAZ NAIK,
AGE: 33 YEARS, OCC: BUSINESS,
R/O: 2043, NEHARU CHOWK,
SAMADHAN HOTEL,
NIPPANI – 591 237.
 3. ABID, S/O. LATE RIYAZ NAIK,
AGE: 30 YEARS, OCC: BUSINESS,
R/O: 2043, NEHARU CHOWK,
SAMADHAN HOTEL, NIPPANI – 591 237.
 4. SAJID, S/O. LATE RIYAZ NAIK,
AGE: 26 YEARS, OCC: BUSINESS,
R/O: 2043, NEHARU CHOWK,
SAMADHAN HOTEL, NIPPANI – 591 237.
- ... APPELLANTS

(BY SRI. WAQAR AHMED SHAHPURI, ADVOCATE)

AND:

1. SMT. NOORJAHAN,
W/O. LATE NAZIRAHMED NAIK,
AGE: 80 YEARS,
SENIOR CITIZEN,



R/O: HER DAUGHTER
SMT. FATIMA W/O. RIYAZAHMED SHAIKHALI,
HOUSE BEARING CTS NO. 10384,
SECTOR NO.2,
SHIVABASAVAR NAGAR,
BELAGAVI - 590 010,
MOBILE NO. 9964989952/9036666538.

2. SMT. FATIMA,
W/O. RIYAZ SHAIKHALI
D/O. LATE NAZIR AHMED NAIK,
AGE: 62 YEARS, OCC: HOUSEHOLD WORK,
CTS NO.10384, SECTOR NO.2,
SHIVABASAVAR NAGAR,
BELAGAVI - 590 010.
3. SMT. NAZEEMA, W/O. IQBAL NANDIWALE
D/O. LATE NAZIR AHMED NAIK,
AGE: 54 YEARS,
OCC: HOUSEHOLD WORK,
R/O: 16/402,
TEEN BATTI CHAR RASTA,
ICHALKARANJI 416 415,
DIST: KOLHAPUR.

... RESPONDENTS

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING TO, SET ASIDE THE ORDER DATED 02-03-2026 PASSED BY LEARNED SINGLE JUDGE OF HON'BLE HIGH COURT KARNATAKA BENCH AT DHARWAD IN W.P.NO. 107990/2025 BY ALLOWING THIS APPEAL AND CONSEQUENTLY ALLOW W.P.107990/2025 IN ITS ENTIRETY, IN THE INTEREST OF JUSTICE.

THIS WRIT APPEAL, COMING ON FOR PRELIMINARY HEARING THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: THE HON'BLE MR. JUSTICE B.M.SHYAM PRASAD
AND
THE HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR



ORAL JUDGMENT

(PER: THE HON'BLE MR. JUSTICE B.M.SHYAM PRASAD)

After being heard for some time, Sri Waqar Ahmed Shahpuri, the learned Counsel for the appellants, seeks liberty to withdraw the appeal but without prejudice to prosecute the pending appeal in CrI.A. No.274/2025 on the file of the V Additional District and Sessions Judge, Belagavi.

The appellants are permitted to withdraw the appeal subject to all just exceptions and the appeal stands disposed of as withdrawn.

The pending interlocutory applications, if any, stand disposed of as not surviving for consideration.

**Sd/-
(B.M.SHYAM PRASAD)
JUDGE**

**Sd/-
(SHIVASHANKAR AMARANNAVAR)
JUDGE**