



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD
DATED THIS THE 5TH DAY OF FEBRUARY, 2026
BEFORE
THE HON'BLE MR. JUSTICE HANCHATE SANJEEVKUMAR
REGULAR SECOND APPEAL NO. 100697 OF 2017 (MON-)

BETWEEN:

1. VIJAYA BANK, NOW
"BANK OF BARODA"
YALLAPUR BRANCH,
YALLAPUR TALUK, REP. BY
ITS BRANCH MANAGER
G. SOMESH

...APPELLANT

(BY SRI. MALLIKARJUN S. HIEMATH, ADVOCATE)

AND:

1. NARAYAN GANESH HEGDE
S/O GANESH HEGDE,
SINCE DECEASED BY HIS LRS,
- 1(A). GANESH NARAYAN HEGDE,
S/O LATE NARAYAN GANESH HEGDE,
AGE: ABOUT 55 YEARS,
OCC: AGRICULTURIST,
- 1(B). MAHABALESHWAR NARAYAN HEGDE
S/O LATE NARAYAN GANESH HEGDE,
AGE: ABOUT 52 YEARS,
OCC: AGRICULTURIST
- 1(C). DATTATREYA NARAYAN HEGDE
S/O LATE NARAYAN GANESH HEGDE,
AGE: ABOUT 50 YEARS,
OCC: AGRICULTURIST,





- 1(D) VISHWESHWAR NARAYAN HEGDE
S/O LATE NARAYAN GANESH HEGDE,
AGE: ABOUT 48 YEARS,
OCC: AGRICULTURIST,
ALL ARE RESIDENTS OF AT & PO.: AREBAIL -581337,
TALUK: YELLAPUR, DIST: KARWAR (U.K)

2. KRISHNANAND RAMACHANDRA NAIK
AGE: ABOUT 60 YEARS,
OCC: NOT KNOWN,
R/O: KALASIGRAM, AREBAIL-581337,
TALUK: YELLAPUR, DIST: KARWAR (U.K)

...RESPONDENTS

(BY SRI. CHETAN MUNNOLI, LOKESH HEGDE AND SURABHI KULKARNI, ADV. FOR R1 (A TO D) AND R2)

THIS REGULAR SECOND APPEAL IS FILED UNDER SECTION 100 OF CODE OF CIVIL PROCEDURE, PRAYING TO, SET ASIDE THE JUDGMENT AND DECREE DATED 27.04.2017 PASSED BY THE COURT OF THE SENIOR CIVIL JUDGE, YELLAPUR IN R.A. NO. 21/2012 AND ALSO THE JUDGMENT AND DECREE DATED 17.10.2012 PASSED BY THE COURT OF THE CIVIL JUDGE YELLAPUR IN O.S. NO. 47/2011 AND CONSEQUENTLY TO ALLOW THE SUIT FILED BY THE APPELLANT.

THIS APPEAL, COMING ON FOR ADMISSION, THIS DAY COURT MADE THE FOLLOWING ORDER:



ORAL ORDER

(PER: THE HON'BLE MR. JUSTICE HANCHATE SANJEEVKUMAR)

Learned counsel for the appellant has filed a memo stating that the appellant bank, namely Vijaya Bank, Yellapur Branch, has been amalgamated with 'Bank of Baroda, Yellapur Branch' and has therefore, requested a change in the name/nature of the appellant bank.

2. Accordingly, the request made by the learned counsel for the appellant is permitted, and the appellant bank is now considered as Bank of Baroda, Yellapur Branch.

3. Learned counsel for the appellant has filed a memo duly signed by the Branch Manager of the appellant bank.

4. Memo is placed on record.

5. In view of the memo, the appeal is dismissed as withdrawn.



NC: 2026:KHC-D:1672
RSA No. 100697 of 2017

6. Registry to refund Court fee to the appellant as per rules.

Sd/-
(HANCHATE SANJEEVKUMAR)
JUDGE

PMP
List No.: 1 Sl No.: 69