

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF SEPTEMBER, 2017

BEFORE

THE HON'BLE MRS. JUSTICE B.V.NAGARATHNA

WRIT PETITION No.40106/2017 (GM-CPC)

BETWEEN:

SMT.C. SARVAMANGALA
W/O K.B.LINGARAJU
AGED ABOUT 53 YEARS
R/A NO.194, 11TH MAIN
NAGENDRA BLOCK
BSK 2ND STAGE
BENGALURU – 560 050

... PETITIONER

(BY SRI M.R.RAJAGOPAL, ADV.)

AND:

1. SRI. K.V.KRISHNAPPA
S/O VENKATE GOWDA
AGED ABOUT 61 YEARS
 2. SMT. JAYALAKSHMI T
W/O K.V.KRISHNAPPA
AGED ABOUT 51 YEARS
SINCE DEAD BY HER L.R
 - a. K.VISHWAS
S/O SMT. JAYALAKSHMI T &
K.V.KRISHNAPPA
AGED ABOUT 26 YEARS
- BOTH ARE R/O NO.50/1
5TH CROSS, AVALAHALLI LAYOUT
BANGALORE – 560 085

3. SRI.A.R.NAGANNA GOWDA
S/O RAME GOWDA
AGED ABOUT 62 YEARS
R/A ALENAHALLI VILLAGE
K.R.PET TALUK
MANDYA DISTRICT – 571 426

4. SMT. LALITHA
W/O A.R.NAGANNA GOWDA
AGED ABOUT 57 YEARS
R/A ALENAHALLI VILLAGE
K.R.PET TALUK
MANDYA DISTRICT – 571 426

5. SMT. LEELAVATHI
D/O RAME GOWDA
AGED ABOUT 57 YEARS
R/A ALENAHALLI VILLAGE
K.R.PET TALUK
MANDYA DISTRICT – 571 426

6. SMT. NAGAMMA
W/O LATE SINGACHAR
AGED ABOUT 79 YEARS

7. SRI.S.GNANESHWAR ACHAR
S/O LATE SINGACHAR
AGED ABOUT 43 YEARS

8. SRI.YOGANARASIMHA MURTHY S
S/O LATE SINGACHAR
AGED ABOUT 37 YEARS

9. SRI.S.LAKSHMIKANTHACHAR
S/O LATE SINGACHAR
AGED ABOUT 35 YEARS

10. SMT. RUKMINI
D/O LATE SINGACHAR
AGED ABOUT 35 YEARS

11. SMT. PUSHPALATHA
D/O LATE SINGACHAR
AGED ABOUT 33 YEARS

RESPONDENTS – 6 TO 11 ARE
 R/A NO.50/A, 1ST MAIN
 'A' CROSS ROAD
 BYATARAYANAPURA NEW EXTENSION
 BANGALORE – 560 026

12. D.S.RAMESH
 S/O B. BORAIAH
 AGED ABOUT 59 YEARS
 R/A NO.34, 23RD MAIN ROAD
 50 FEET ROAD
 MUNESHWARA 'T' BLOCK
 BANGALORE – 560 085

... RESPONDENTS

(BY SRI NAVEEN REDDY M.V., ADV. FOR C/R1)

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE ORDER DATED 11.07.2017 PASSED BY THE LEARNED XX ADDL. CITY CIVIL AND SESSIONS JUDGE, BANGALORE [CCH-32] ON IA NO.16 IN O.S.NO.833/2011 AS PER ANNEXURE – F AND ETC.,

THIS PETITION COMING ON FOR PRELIMINARY HEARING, THIS DAY, THE COURT MADE THE FOLLOWING:

O R D E R

Heard the learned counsel for the petitioner and learned counsel for caveator/respondent No.1.

2. It is stated at the bar that the suit is slated for pronouncement of judgment on 03.10.2017. In the circumstances, I do not think it necessary to exercise any discretion to entertain the writ petition, as the suit out of

which, this writ petition arises is posted for pronouncement of judgment on 03.10.2017.

3. In the circumstances, the writ petition is dismissed reserving liberty to the petitioner to raise all contentions arising from the impugned order in an appeal to be filed, if so advised, in the event, petitioner is unsuccessful in the suit.

**Sd/-
JUDGE**

VM