

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 27<sup>TH</sup> DAY OF SEPTEMBER, 2019**

**BEFORE**

**THE HON'BLE Dr. JUSTICE H.B.PRABHAKARA SASTRY**

**REGULAR FIRST APPEAL No.430 OF 2011**

**BETWEEN:**

YOUSUFF ABDULLA  
SINCE DEAD BY LRs:

- a) SUHAIL YOUSUF  
W/O LATE YOUSUFF ABDULLA  
MUSLIM, MAJOR  
R/AT `SHIRAZI RESIDENCY'  
NO.21/1, SPENCER ROAD  
FRAZER TOWN  
BANGALORE-560005
- b) MRS SABIHA ISMAIL  
D/O LATE YOUSUFF ABDULLA  
MUSLIM, MAJOR,  
R/AT NO.40/20,  
WELLINGTON STREET  
RICHMOND TOWN  
BANGALORE-560025
- c) MRS FARHANA MAHMOOD KAMALANI  
D/O LATE YOUSUFF ABDULLA  
MUSLIM, MAJOR,  
R/AT NO.21  
ZAKARIA STREET, TOP FLOOR  
CALCUTTA-700001

- d) MRS RUKSANA IQBAL CARRIM  
D/O LATE YOUSUFF ABDULLA  
MUSLIM, MAJOR, R/AT NO.2  
GUY FORGET STREET  
BEAU BASIN  
MAURITIUS.
- e) MRS RAFIA MUNEER FAZAL  
D/O LATE YOUSUFF ABDULLA  
MUSLIM, MAJOR, R/AT NO.7/4  
CLARKE ROAD, RICHARDS TOWN  
BANGALORE-560005
- f) MRS RASHIDA ANWAR VAHEDNA  
D/O LATE YOUSUFF ABDULLA  
MUSLIM, MAJOR, R/AT P B NO.3231  
DEIRA, DUBAI  
UNITED ARAB EMIRATES
- g) GAZALA ADIL ABUBAKAR  
D/O LATE YOUSUFF ABDULLA  
MUSLIM, MAJOR, R/AT NO.3408,  
6179 STREET, NO.59,  
ALHAMRIYA  
MUSCAT SULTANTE OF OMAN,  
AMENDED AS:  
"RADIO HOUSE",  
A PARTNERSHIP CONCERN  
WHICH IS DULY REGISTERED  
UNDER THE INDIAN PARTNERSHIP  
ACT, REP.BY  
SRI SYHAIL YOUSUFF.

(APPELLANT NO.(c), (d), (f)  
& (g) ARE REPRESENTED BY  
THEIR GPA HOLDER 1(a) HEREIN). ... APPELLANTS

(By Sri. H R ANANTHAKRISHNA MURTHY, ADVOCATE )

AND:

1. FAROOK YOUSUFF  
S/O YOUSUFF ABDULLA  
MUSLIM, MAJOR R/AT NO.51,  
HOSPITAL ROAD,  
BANGALORE-560001

(LEGAL REPRESENTATIVES OF  
PLAINTIFF SRI YOUSUFF ABDULLA  
BROUGHT ON RECORD AS  
REPENDENTS 2 AND 3)

2. KHALID YOUSUFF  
S/O LATE YOUSUFF ABDULLA  
MUSLIM, MAJOR  
R/AT SHARADA APARTMENT  
NO.34, COLES ROAD  
FRAZER TOWN  
BANGALORE-560005

3. ZUBAIR YOUSUFF  
S/O LATE YOUSUFF ABDULLA  
MUSLIM, MAJOR  
R/AT NO.3267, 11TH MAIN  
HAL SECOND STAGE  
INDIRANAGAR  
BANGALORE-560038.

.. RESPONDENTS

(BY SRI ABHINAV R., ADVOCATE FOR  
KUMAR & KUMAR, ADVOCATES, FOR R-1;  
SRI K.N.SRINIVAS, ADVOCATE FOR R-2,  
R-3 - SERVED).

This Regular First Appeal is filed under Section 96 of CPC against the judgment and decree dated 25.10.2010, passed in O.S.No.10951/1990, on the file of XXVIII Addl.City Civil Judge, Mayohall, Bangalore, dismissing the suit for the recovery of money.

This Regular First Appeal coming on for Orders, this day, the Court delivered the following:

**ORDER**

Learned counsel for the appellants has filed a memo submitting that the matter is settled out of Court. As such, the appeal be dismissed as not pressed. He has also prayed for refund of court fee.

Perused the memo.

Heard the supporting submissions from both side.

In view of the memo and supporting submissions, the appeal stands dismissed as settled out of Court. The refund of court fee if any, to be in accordance with law.

**Sd/-  
JUDGE**

sac\*