

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF JULY, 2020

BEFORE

THE HON'BLE MR. JUSTICE HEMANT CHANDANGOUDAR

WRIT PETITION NO.43174/2017 (GM-CPC)

BETWEEN:

SRI N NANJUNDAIAH
S/O S NARAYANAPPA
AGED ABOUT 39 YEARS
RESIDING AT NO.861
KANVA SRI SAI COMPLEX
MODI HOSPITAL ROAD
BENGALURU-560 086.

...PETITIONER

(BY SRI SAMPATH BAPAT, ADVOCATE)

AND:

1. SRI GANGAPPA
S/O LATE DODDAIAH
AGED ABOUT 65 YEARS
2. SRI JAYARAM G
S/O SRI GANGAPPA
AGED ABOUT 40 YEARS
3. SRI NARASANANJAPPA
S/O SRI GANGAPPA
AGED ABOUT 38 YEARS

4. SRI ESHWAR
S/O SRI GANGAPPA
AGED ABOUT 36 YEARS
5. SRI GANGARAJU
S/O SRI GANGAPPA
AGED ABOUT 34 YEARS
6. SRI MUNIRAJU
S/O SRI GANGAPPA
AGED ABOUT 32 YEARS
7. SRI UMESH
S/O SRI GANGAPPA
AGED ABOUT 30 YEARS

RESPONDENTS NO.1 TO 7 ARE
RESIDING AT PILLAHALLI DHAKALE VILLAGE
BADAKANAPALYA, DASANAPURA HOBLI
BENGALURU NORTH TALUK-560 073.

...RESPONDENTS

(BY SRI M.S. MOHAN, ADVOCATE FOR R-1 TO R-3 AND
R-5 TO R-7)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE ORDER DATED 25.07.2017 ON I.A.NO.II IN
O.S.NO.332/2014 PASSED BY THE LEARNED ADDITIONAL
CIVIL JUDGE AND JMFC NELAMANGALA, IN SO FAR AS IT
RELATES TO REJECTING THE AMENDMENT TO INSERT
PRAYER WITH REGARD TO MANDATORY INJUNCTION TO
REMOVE COMPOUND WALL, VIDE ANNEXURE-E AND ETC.

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

O R D E R

This writ petition which arises out of order dated 25.7.2017 passed by the Additional Civil Judge and JMFC, Nelamangala on I.A.No.II in OS No.332/2014 does not survive for consideration in view of disposal of the suit on 10.4.2018.

Writ petition is accordingly dismissed as having become infructuous.

Sd/-
JUDGE

Bkm