



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 7TH DAY OF JUNE, 2024

PRESENT

THE HON'BLE MRS JUSTICE ANU SIVARAMAN

AND

THE HON'BLE MR JUSTICE ANANT RAMANATH HEGDE

REGULAR FIRST APPEAL NO. 80 OF 2022 (SP)

BETWEEN:

SRI. P.B. MAHENDRA
S/O LATE P.M. BASAVARAJU,
AGED ABOUT 36 YEARS,
R/AT NO.744/12B, SHIVAGOURI NILAYA,
GIRIDARSHINI LAYOUT, ALANAHALLI,
MYSURU TALUK.

...APPELLANT

(BY SRI. P. MAHESHA, ADVOCATE)

AND:

1. SRI. RAJAMUDI @ RAJAMUDAIAH
S/O LATE CHAKRA VAIRIAH,
AGED ABOUT 66 YEARS,
2. SMT. JAYAMMA
W/O SRI. RAJAMUDI
AGED ABOUT 61 YEARS
3. SMT. MAHADEVAMMA
D/O SRI. RAJAMUDI
AGED ABOUT 46 YEARS,
4. SMT. JAYALAKSHMI
D/O SRI RAJAMUDI,
AGED ABOUT 43 YEARS,





5. SRI. MAHESH
S/O SRI RAJAMUDI
AGED ABOUT 38 YEARS,

6. SMT. SUJATHA
W/O SRI MAHESH
AGED ABOUT 31 YEARS,

7. MINOR JEEVA
S/O SRI MAHESH
AGED ABOUT 10 YEARS,

8. MINOR NAMITHA
D/O SRI MAHESH
AGED ABOUT 08 YEARS,

RESPONDENTS NO.7 AND 8
SINCE MINORS REPRESENTED BY THEIR
MOTHER AND NATURAL GUARDIAN
SMT. SUJATHA (RESPONDENT NO.6)

9. SRI. CHELUVARAJU
S/O SRI RAJAMUDI
AGED ABOUT 35 YEARS,

10. SMT. GOURAMMA
W/O SRI. LAKKAIAH
AGED ABOUT 52 YEARS,

11. SRI. NARASIMHA MURTHY
S/O SRI LAKKAIAH
AGED ABOUT 33 YEARS,

12. SMT. ROOPA
W/O SRI NARASIMHA MURTHY
AGED ABOUT 26 YEARS,

13. SMT. SAVITHA
D/O SRI LAKKAIAH
AGED ABOUT 31 YEARS,



14. SRI. RAJU
S/O LATE CHELUVAIAH
AGED ABOUT 51 YEARS,
15. SMT. SHIVAMMA
D/O LATE CHELUVAIAH
AGED ABOUT 48 YEARS,

ALL THE RESPONDENTS ARE
R/AT JAYAPURA VILLAGE AND HOBLI,
MYSURU TALUK AND DISTRICT.

...RESPONDENTS

(BY SRI. P. PRITHVI KIRAN SETTY, ADVOCATE FOR
RESPONDENT NOS.1 TO 6 AND 9 TO 15;
RESPONDENT NOS.7 AND 8 ARE MINORS, REPRESENTED BY
NATURAL GUARDIAN RESPONDENT NO.6)

THIS RFA IS FILED UNDER SECTION 96 READ WITH
ORDER XLI RULE 1 OF THE CODE OF CIVIL PROCEDURE, 1908,
AGAINST THE JUDGMENT AND DECREE DATED 16.11.2021
PASSED IN O.S. NO.99/2018 ON THE FILE OF THE PRINCIPAL
SENIOR CIVIL JUDGE AND C.J.M, MYSURU, PARTLY DECREERING
THE SUIT FOR SPECIFIC PERFORMANCE.

THIS APPEAL, COMING ON FOR ORDERS, THIS DAY,
ANU SIVARAMAN J., DELIVERED THE FOLLOWING:

JUDGMENT

Learned counsel for the appellant has filed a memo
seeking withdrawal of the appeal.

2. The memo is taken on record.



3. The appeal is, accordingly, ***dismissed as withdrawn.***

Registry is directed to refund the Court fee, as applicable.

**Sd/-
JUDGE**

**Sd/-
JUDGE**

SMA
List No.: 1 Sl No.: 4