



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

**DATED THIS THE 19<sup>TH</sup> DAY OF SEPTEMBER, 2024**

**PRESENT**

**THE HON'BLE MRS JUSTICE K.S.MUDAGAL**

**AND**

**THE HON'BLE MR JUSTICE VENKATESH NAIK T**

**REGULAR FIRST APPEAL No.131/2022 (PAR)**

**BETWEEN:**

S N BALACHANDRA  
SINCE DECEASED BY HIS LRS

1. SMT. H LAKSHMAMMA  
AGED ABOUT 71 YEARS  
W/O. LATE S N BALACHANDRA  
R/AT NO. 5, 12<sup>TH</sup> CROSS  
THIGALARAPALYA MAIN ROAD  
BALAJINAGARA, BANGALORE 560 079
  2. SRI N.B.RAMESH  
AGED ABOUT 54 YEARS  
S/O. LATE S N BALACHANDRA  
R/AT NO. 38, AMBIKA NILAYA  
5<sup>TH</sup> CROSS, VIDHYANAGARA  
BOMMASANDRA, BANGALORE 560 099
  3. SRI N B DINESH  
AGED ABOUT 50 YEARS  
S/O. LATE S N BALACHANDRA  
R/AT NO. 5, 12<sup>TH</sup> CROSS  
THIGALARAPALYA MAIN ROAD  
BALAJINAGARA, BANGALORE 560 079
  4. SMT. N B CHANDAKALA  
AGED ABOUT 51 YEARS  
W/O. R.KRISHNAMUTHY  
D/O. LATE S N BALACHANDRA  
R/AT NO.210  
LAKSHMIVENKATESHWARA NILAYA  
10<sup>TH</sup> CROSS, HANUMANTHANAGARA  
BANGALORE-560 019
- ...APPELLANTS

(BY SRI B R VISWANATH, ADVOCATE [ABSENT])



**AND:**

SRI S.N.SATHYANARAYANA  
AGED ABOUT 63 YEARS  
S/O. LATE S.LINGAIAH  
R/AT ANTHARAGANGE CAMP  
ANTHARAGANGE POST  
BHADRAVATHI TALUK

...RESPONDENT

THIS REGULAR FIRST APPEAL IS FILED UNDER SECTION 96 R/W ORDER XLI RULE 1 OF CPC 1908 PRAYING TO SET ASIDE JUDGMENT AND DECREE DATED 16.08.2021 PASSED IN OS No.131/2018 ON THE FILE OF THE PRINCIPAL SENIOR CIVIL JUDGE,AND JMFC, BHADRAVATHI, DISMISSING THE SUIT FOR PARTITION AND SEPARATE POSSESSION.

THIS REGULAR FIRST APPEAL, COMING ON FOR FINAL HEARING, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MRS JUSTICE K.S.MUDAGAL  
AND  
HON'BLE MR JUSTICE VENKATESH NAIK T

**ORAL JUDGMENT**

**(PER: HON'BLE MRS JUSTICE K.S.MUDAGAL)**

No representation for the appellants. Despite granting five opportunities, needful is not done. Therefore the appeal is dismissed.

**Sd/-  
(K.S.MUDAGAL)  
JUDGE**

**Sd/-  
(VENKATESH NAIK T)  
JUDGE**

KSR  
List No.: 2 Sl No.: 11