

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 1ST DAY OF SEPTEMBER 2021

BEFORE

THE HON'BLE MR. JUSTICE B. M. SHYAM PRASAD

WRIT PETITION No.6529/2021(GM-CPC)

BETWEEN :

M/S. PRAGATHI GROUP
A REGISTERED PARTNERSHIP FIRM
HAVING OFFICE AT NO. 28/2
SECOND FLOOR, CUNNINGHAM ROAD
BANGALORE-560 052
REPRESENTED BY ITS MANAGING PARTNER
YADALAM HARI KISHORE
AGED ABOUT 52 YEARS

... PETITIONER

(BY SRI. VINOD .Y, ADVOCATE FOR
SRI. SRIDHAR .G, ADVOCATE(PH))

AND :

- 1 . H. NARAYANAPPA
S/O. LATE PATEL HOSURAPPA
AGED ABOUT 67 YEARS
R/AT PAKEGOWDANAPALYA
HESARAGHATTA HOBLI
BANGALORE NORTH TALUK-562 163

PRESENTLY R/AT NO. 92
4TH CROSS, 7TH MAIN, HAMPINAGAR
VIJAYANAGAR, BANGALORE-560 040
- 2 . LAKKAMMA W/O. PATEL YELLAPPA
AGED ABOUT 79 YEARS

- 3 . PATEL YELLAPPA
S/O. LATE PATEL HOSURAPPA
AGED ABOUT 83 YEARS

BOTH ARE RESIDING AT HOUSE NO.5
PAKEGOWDANAPALYA, SILVEPURA POST
KASAGHATTAPURA DAKHALE
HESARAGHATTA HOBLI
BANGALORE NORTH TALUK

- 4 . T. RAGHAVENDRA
S/O. LATE B. THIMMAPPA
AGED ABOUT 57 YEARS
NO.21, SAI JYOTHI
2ND CROSS ROAD, P & T LAYOUT
KURUBARAHALLI MAIN ROAD
BANGALORE-560 086

- 5 . H. G. VISHWANATHA SHASTRY
S/O. LATE GURUSIDDA SHASTRY
AGED ABOUT 91 YEARS
NO. 524, 11TH CROSS
RMV EXTENSION
BANGALORE-560 080

- 6 . C. MUDDURAJU
S/O. LATE CHIKKANNAPPA
AGED ABOUT 53 YEARS
R/AT NO. 162, I MAIN
KARNATAKA LAYOUT, KURUBARAHALLI
BANGALORE-560086

- 7 . PRADEEP KUMAR. B. P.
S/O. PRAKASH KUMAR
AGED ABOUT 34 YEARS
R/AT NO. 139, 10TH MAIN ROAD
CHANDRA LAYOUT, VIJAYANAGAR
BANGALORE-560 040

- 8 . BHARATHI. S. W/O. SURESH. T. S.
AGED ABOUT 46 YEARS
R/AT NO. 19, KESHAVA
6TH CROSS, 1ST MAIN
OLD BANK COLONY
BANGALORE-560 062
- 9 . VENKATESH. Y. A.
S/O. Y. ASHWATHANARAYANA
AGED ABOUT 42 YEARS
R/AT NO. 933, 1ST FLOOR
KAUSTHUBA NILAYAM
20TH MAIN, BSK II STAGE
BANGALORE-560 070
- 10 . SHRUTHI MANJUNATH
W/O. VIKRANT CHANDURI
AGED ABOUT 37 YEARS
R/AT NO. 134, RAILWAY PARALLEL ROAD
KUMARA PARK WEST
BANGALORE-560 020
- 11 . K. H. MANJUNATH
S/O. LATE HERJEERAPPA
AGED ABOUT 66 YEARS
R/AT NO. 134, RAILWAY PARALLEL ROAD
KUMARA PARK WEST
BANGALORE-560 020
- 12 . SUBRAMANIAN ARUN RANGANATH
S/O. T. V. SUBRAMANIAN
AGED ABOUT 38 YEARS
R/AT NO. B-5, JAYANTHI APARTMENTS
13TH CROSS, MALLESWARAM
BANGALORE-560 003
- 13 . C. V. JOSHI S/O. V. V. JOSHI
AGED ABOUT 41 YEARS
R/AT NO. 23/1, 7TH CROSS
9TH MAIN, SWIMMING POOL EXTENSION

MALLESHWARAM, BANGALORE-560 003

- 14 . M. J. KAMALAKSHMI
D/O. LATE H. JAYARAME GOWDA
AGED ABOUT 74 YEARS
R/AT NO. 4, RANGANATHAPURAM
MALLESHWARAM, BANGALORE-560 003
- 15 . NITA RAO S/O. S. VAMAN RAO
AGED ABOUT 60 YEARS
R/AT NO. 41, G-2, 13TH CROSS
6TH MAIN, MALLESHWARAM
BANGALORE-560 003
- 16 . SRIKRISHNA KODANKRI
S/O. ISHWARA UNGRUPULITHAYA
AGED ABOUT 48 YEARS
R/AT NO. 203, SAI DARSHAN APT.
NANDANAVANAM LAYOUT
VIDYARANYAPURA, BANGALORE
- 17 . ASHOK BILAHA JAYAPPA
S/O. JAYAPPA. B. C.
AGED ABOUT 38 YEARS
R/AT NO.14/2, 2ND FLOOR
6TH CROSS, BHOVIPALYA PIPELINE ROAD
MAHALAKSHMIPURAM
BANGALORE-560 086
- 18 . KARTHIK KRISHNAN MAHALINGAM
S/O. VENKATARAMAN MAHALINGAM
AGED ABOUT 39 YEARS
R/AT FLAT NO. 6, SHASHIKIRAN
18TH CROSS, MALLESHWARAM
BANGALORE-560 055
- 19 . K. CHANDRASHEKAR
S/O. K. SUBRAMANYAM
AGED ABOUT 41 YEARS
R/AT NO. 41, I MAIN ROAD

CAUVERY NAGAR, KATHRIGUPPE MAIN ROAD
BSK III STAGE, BANGALORE-560 085

- 20 . RICHA KUMARI W/O. NIRMAL KUMAR
AGED ABOUT 35 YEARS
R/AT NO. 240/A, 3RD CROSS
I PHASE, I STAGE, GOKUL
MATHIKERE, BANGALORE-560 054
- 21 . CHANCHAL
W/O. AMAR CHAND PRAJAPAT
AGED ABOUT 34 YEARS
R/AT NO.44, I B CROSS
MATHIKERE LAYOUT, BANGALORE-560 054
- 22 . ASHWIN.P. K. S/O. PRADEEP KUMAR
AGED ABOUT 24 YEARS
R/AT NO. 350, 4TH MAIN
3RD CROSS, I STAGE
VIJAYANAGAR, BANGALORE-560 040
- 23 . DIVYA BHONSLEY. R
W/O. ABHISHEK MALLICK
AGED ABOUT 34 YEARS
R/AT NO. 17, 'SREERAKSHA'
2ND BLOCK, 2ND A MAIN
RMV II STAGE, KGE LAYOUT
NEAR NEW BEL ROAD
BANGALORE-560 094
- 24 . TEJASWINI. B THIMMOLI
W/O. SANTOSH UKKAH
AGED ABOUT 35 YEARS
R/AT NO. 350, 5TH MAIN
4TH AVENUE, TEACHERS COLONY
KORAMANGALA I BLOCK
BANGALORE-560 034
- 25 . SUJATHA RENUKA
W/O. K. N. RENUKA

AGED ABOUT 56 YEARS
R/AT NO. 66, 13TH MAIN
4TH BLOCK EAST, JAYANAGAR
BANGALORE-560 011

- 26 . UMA B. S. W/O. BRIG RAVISHANKAR
AGED ABOUT 56 YEARS
R/AT NO. 105/2, KAILASH
14TH CROSS, MARGOSA ROAD
MALLESWARAM, BANGALORE-560 003
- 27 . SHARAN. A. S.
S/O. K. S. SHADAKSHARAPPA
AGED ABOUT 34 YEARS
R/AT NO. 2036/45
THARALABALU BADAVANE
DAVANAGERE-577 002
- 28 . A. SRINIVASULU
S/O. ALTE A. VENKATARAMANA RAO
AGED ABOUT 59 YEARS
R/AT NO. MC-3, 2ND FLOOR
TELEPHONE EXCHANGE COMPOUND
BELLARY-583 101
- 29 . D. ANNAPURNA W/O. D. RAMESH RAO
AGED ABOUT 51 YEARS
R/AT NO. 1645/123
BHAVANI NILAYAM, TEACHERS COLONY
VIDYARANYAPURA, DAVANAGERE-577 002
- 30 . MAHESH KUMAR
S/O. LATE S. KESHA RAO
AGED ABOUT 33 YEARS
R/AT NO. 50, W. NO. 5, 3RD CROSS
GOWLERHATTI, BELLARY-583 101
- 31 . GEETHA H. K. W/O. HALESH KARJIGI
AGED ABOUT 51 YEARS
R/AT NO. 1845/105, 1ST MAIN

4TH CROSS, VINAYAKA BADAVANE
VIDYANAGAR, DAVANAGERE-577 002

- 32 . VENKATESH S. KALAL
S/O. SHAMARAO M. KALAL
AGED ABOUT 26 YEARS
R/AT NO. 429/1, LAWYER ROAD
K.B. EXTENSION, DAVANAGERE-577 002
- 33 . HEMA RAGHAVAN W/O. S. RAGHAVAN
AGED ABOUT 64 YEARS
R/AT NO. 302, EMERALD GREENS APARTMENT
108, 6TH MAIN, 8TH CROSS
MALLESWARAM, BANGALORE
- 34 . VIJAYKUMAR N. S.
S/O. SHANKARI GOWDA. N. L.
AGED ABOUT 36 YEARS
R/AT NO. 656, BASAVESHWARA LAYOUT
NAGASHETTIHALLI, SANJAYNAGAR POST
BANGALORE-560 094
- 35 . M. SUNDARAM P. K. S.
S/O. KRISHNAN P.S.
AGED ABOUT 47 YEARS
R/AT NO. 853/1, 5TH CROSS
5TH MAIN, INDIRANAGARA I STAGE
BANGALORE-560 038
- 36 . VIVEK KRISHNAN S/O. T. S. KRISHNAN
AGED ABOUT 31 YEARS
R/AT NO. 302, SHASHIKIRAN APARTMENTS
18TH CROSS, MALLESWARAM
BENGALURU-560 003
- 37 . BHARATHI BABU DORAISWAMY
W/O.M. BABU DORAISWAMY
AGED ABOUT 48 YEARS
R/AT NO. 473, 4TH A MAIN
7TH CROSS, RMV II STAGE

BANGALORE-560 094

- 38 . N. BALASUBRAMANIAM
S/O. S. NATARAJAN
AGED ABOUT 41 YEARS
R/AT BHARATHI BABU DORAISWAMY
NO. 473, 4TH A MAIN
7TH CROSS, RMV II STAGE
BANGALORE-560 094
- 39 . CHANDRAMOHAN S. KALAL
S/O. SHAMRAO M. KALAL
AGED ABOUT 31 YEARS
R/AT NO. 429/1, NEAR JANATHA HOTEL
I MAIN ROAD, K.B. EXTENSION
DAVANAGERE-577 002
- 40 . R. VENKATESH S/O. P. RAMACHANDRA
AGED ABOUT 52 YEARS
R/AT NO. 66, 3RD CROSS
KAMALANAGAR, BANGALORE-560 079
- 41 . SATISH KUMAR. M
S/O. M. P. MAHADEVAN
AGED ABOUT 37 YEARS
R/AT NO. 42/1, 9TH MAIN
3RD CROSS, PRAKASH NAGAR
BANGALORE-560 021
- 42 . BRUNDA. G D/O. H. T. GURURAJA RAO
AGED ABOUT 39 YEARS
R/AT NO. 21, OLD NO. 11
5TH CROSS, SP EXTENSION
MALLESWARAM, BANGALORE-560 003
- 43 . S. V. VANI W/O. CHANDRAMOULI H.S.
AGED ABOUT 47 YEARS
R/AT NO. 39, FLAT NO. F1
OLETY HERITAGE, KAMALANAGAR MAIN ROAD
GRUHALAKSHMI COLONY

II STAGE, BANGALORE-560 079

- 44 . CHETAN. C S/O. B. M. CHANDRAJ
AGED ABOUT 35 YEARS
R/AT SREE RAMA ESTATE
NO. 5E, DODDAHANAKODU VILAGE
SOMWARPET, KODAGU-571 236
- 45 . M. D. CHANDRASHEKARAI AH
S/O.M. S. DEVARAJ
AGED ABOUT 65 YEARS
R/AT NO. 8/15, 9TH CROSS
S. P. EXTENSION, MALLESHWARAM
BANGALORE-560 003
- 46 . B. V. KOMALA W/O. B. V. SESHADRI
AGED ABOUT 61 YEARS
R/AT NO. 902, 3RD CROSS
5TH MAIN, M.C. LAYOUT
BANGALORE-560 040
- 47 . RAGHUVIR V. NADGIR
S/O. VINAYAK R. NADGIR
AGED ABOUT 29 YEARS
R/AT NO. 1783/4, HARIPRIYA
14TH CROSS, 5TH MAIN
SIDDAVEERAPPA EXTENSION
DAVANAGERE-577 002
- 48 . SHYLAJA. B. U. W/O. SUDHEER. M,
AGED ABOUT 44 YEARS
R/AT NO. 200/1, 2ND C CROSS
M.V. LAYOUT, CHIKKA BANASAWADI
BANGALORE-560 033
- 49 . PRIYA N. K. W/O. PRAVEEN KUMAR MANIKKATH
AGED ABOUT 45 YEARS
R/AT NO. 15, ARUL NIVAS
ANJANAPPA LAYOUT, HORAMAVU MAIN
3RD CROSS, NEAR PANCHAMUKHI TEMPLE

BANGALORE-560 043

- 50 . POORNIMA N. K.
D/O. LATE N. K. PREMRAJ
AGED ABOUT 34 YEARS
R/AT NO. 15, ARUL NIVAS
ANJANAPPA LAYOUT, HORAMAVU MAIN
3RD CROSS, NEAR PANCHAMUKHI TEMPLE
BANGALORE-560 043
- 51 . PRADEEP KUMAR. T. S.
S/O. LATE SRINIVAS MURTHY. T
AGED ABOUT 50 YEARS
R/AT NO. 18, SRI. VENKATESHWARA NILAYA
6TH MAIN, SRIKANTESHWARANAGAR
MAHALAKSHMI LAYOUT, BANGALORE-560 096
- 52 . PINKEY N. K. D/O. LATE PREMRAJ
AGED ABOUT 38 YEARS
R/AT NO. 15, ARUL NIVAS
ANJANAPPA LAYOUT, HORAMAVU MAIN
3RD CROSS, NEAR PANCHAMUKHI TEMPLE
BANGALORE-560 043

... RESPONDENTS

(BY SRI. N. SHARATH, ADVOCATE FOR C/R1)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO SET ASIDE THE ORDER DTD 04.01.2021 IN MA 44/2017 PASSED BY THE 7TH ADDL DISTRICT AND SESSIONS JUDGE, BANGALORE RURAL DISTRICT BANGALORE VIDE ANNEX-E, ALLOW THE SAID APPEAL AND CONSEQUENTLY SET ASIDE THE ORDER DTD 31.03.2017 PASSED IN OS 657/2014 BY THE LEARNED SENIOR CIVIL JUDGE, NELAMANGALA VIDE ANNEX-D AND ETC.

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

ORDER

The learned counsel Sri.Vinod Y., who appears on behalf of the learned counsel for the petitioner on record, seeks leave to place on record the memo for withdrawal and he submits that the petition is rendered infructuous.

The memo is taken on record and the petition stands disposed of accordingly.

**Sd/-
JUDGE**

BSR