

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 4TH DAY OF JULY 2012

BEFORE

THE HON'BLE MR. JUSTICE H.G.RAMESH

Miscellaneous First Appeal No.3151/2012

BETWEEN:

SMT B G YAMINI
D/O B K GIRIJASHANKAR
W/O K NAGESH
AGED ABOUT 34 YEARS
NO.393, KARTHIK NILAYA
PADMANABHA NAGAR, 50' ROAD
BANGALORE-70

... APPELLANT

(BY SRI H M MARIYAPPA, ADVOCATE.)

AND:

1. SHRI B K GIRIJASHANKAR
S/O B R KRISHNAIAH SHETTY
AGED ABOUT 61 YEARS
R/AT NO.733, 17TH CROSS
6TH PHASE, J P NAGAR, BANGALORE-78
AND ALSO AT NO.95, 1ST CROSS
4TH BLOCK, 8TH MAIN
THYAGARAJA NAGAR
BANGALORE-560 028
2. SHRI B G SHRAVANA
S/O B K GIRIJASHANKAR
AGED ABOUT 31 YEARS
R/AT NO.95, 1ST CROSS 4TH BLOCK
8TH MAIN, THYAGARAJA NAGAR
BANGALORE-560 028

3. SMT. UMA G SHANKAR
W/O B K GIRIJASHANKAR
AGED ABOUT 57 YEARS
R/AT NO.733, 17TH CROSS, 6TH PHASE
J P NAGAR, BANGALORE-78
AND ALSO AT NO.95, 1ST CROSS
4TH BLOCK, 8TH MAIN
THYAGARAJA NAGAR
BANGALORE-560 028

4. SHRI B K VIJAYASHANKAR
S/O B R KRISHNAIAH SHETTY
AGED ABOUT 54 YEARS

5. SHRI B V NEELA LOHITH
S/O B K VIJAYASHANKAR
AGED ABOUT 23 YEARS

6. SMT. NAGAMANI VIJAY
W/O B K VIJAYASHANKAR
AGED ABOUT 51 YEARS

RESPONDENTS 4, 5 & 6 R/AT NO.G7
LUCKY PARADISE, NEW NO.174/40
22ND CROSS, 3RD BLOCK
JAYANAGAR, BANGALORE-11

7. AXIS BANK LTD.
REP. BY ITS AUTHORIZED OFFICER
SHRI G S SRINIVAS SHARMA
ANANDARAO CIRCLE BRANCH
BANGALORE-9

7. AXIS BANK LTD.
SOUTHERN ZONAL OFFICE
3RD FLOOR, NO.82
DR.RADHAKRISHNAN SALAI
MYLAPORE, CHENNAI-4

... RESPONDENTS

MFA FILED U/O 43 RULE 1(r) OF CPC, AGAINST THE ORDER
DT.07.03.12 PASSED ON I.A.NO.1 IN O.S.NO.7259/2010 ON THE
FILE OF THE XLIII ADDITIONAL CITY CIVIL AND SESSIONS JUDGE,
BANGALORE, REJECTING I.A.NO.1 FILED U/O 39 RULE 1 & 2 OF CPC.

MFA COMING ON FOR ADMISSION, THIS DAY, THE COURT
DELIVERED THE FOLLOWING:

J U D G M E N T

H.G.RAMESH, J. (Oral):

Learned counsel appearing for the appellant seeks leave to withdraw the appeal with liberty to the appellant to apply before the trial court for review of the order impugned herein in accordance with law. Leave as sought for is granted. The appeal stands disposed of accordingly.

In view of disposal of the appeal, I.A.I/2012 filed for temporary injunction does not survive for consideration; it stands disposed of accordingly.

Appeal disposed of.

**Sd/-
JUDGE**

hkh.