



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21ST DAY OF FEBRUARY, 2024

BEFORE

THE HON'BLE MR JUSTICE H.T. NARENDRA PRASAD

REGULAR FIRST APPEAL NO. 972 OF 2023 (EJE)

BETWEEN:

SRI THEERTHE GOWDA N M
S/O LATE N.K.MATADIAH
AGED ABOUT 63 YEARS
NO.39/2, 2ND FLOOR, ASNVN BHAVANA
K G ROAD, GANDHINAGAR
BENGALURU-560 009.

...APPELLANT

(BY SRI. CHANDRASHEKAR REDDY K P.,ADVOCATE)

AND:

SRI RAMISETTY SRINIVASULU
S/O SRI. R. VENKATESH
AGED ABOUT 45 YEARS
RESIDING AT NO. 37
1ST FLOOR, 3RD MAIN
ANUGRAHA LAYOUT
KODICHICHKANAHALLI ROAD
BENGALURU-560 0763.

...RESPONDENT

(BY SMT. NITHYA V FOR SRI. PRAKASH M H, ADVOCATES)

THIS RFA IS FILED UNDER SECTION 96 OF CPC,
AGAINST THE ORDER DATED 07.03.2023 PASSED IN
OS.NO.4632/2020 ON THE FILE OF THE LX ADDITIONAL CITY
CIVIL AND SESSIONS JUDGE, BENGALURU, DECREETING THE
PETITION FOR EJECTMENT AND ARREARS OF RENT.





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

JUDGMENT

1. None appears for the appellant.
2. Learned counsel for the respondent/plaintiff submits that plaintiff has filed execution petition in Ex.No.1646/2023 and the decree has been executed. Hence, the present appeal does not survive for consideration and the same has become infructuous.
3. The submission of learned counsel for the respondent/ plaintiff is taken on record.
4. Hence, the present appeal is ***dismissed as having become infructuous.***
5. In view of disposal of the main appeal, all pending applications do not survive and the same are also disposed of.

**Sd/-
JUDGE**

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List No.: 1 Sl No.: 42