

IN THE HIGH COURT OF KARNATAKA, BANGALORE

DATED THIS THE 29TH DAY OF JUNE 2006

BEFORE

THE HON'BLE MR. JUSTICE K.L.MANJUNATH

RFA No 1395 OF 2005

BETWEEN

SMT.B MAHALAKSHMI
W/O CHINNAPPA SHETTY
NO.56 1ST FLOOR
T.D.LANE GOWDANPET
BANGALORE 53

... APPELLANT.

(By Sri. R S HEGDE, ADVOCATE)

AND :

1 K V NAGAMMA @ K V NAGARATHNA
@ K V HEMALATHA
MAJOR W/O LATE B.RAJASHEKAR
R/O.NO.56 GROUND FLOOR
T.D.LANE GOWDANAPET
BANGALORE 53

2 THE SENIOR DIVISIONAL MANAGER
LIC OF INDIA K.G.ROAD
BANGALRORE 9

... RESPONDENTS

(By Sri.K.V.NARSIMHAN, ADV. FOR R-1,
SRI. D ASHWATHAPPA, ADV. FOR R2,

RFA FILED U/S.96 R/W O 41 R/W SEC.151 OF CPC
AGAINST THE JUDGMENT AND DECREE DT.29.8.2005
PASSED IN O.S.NO.5815/99 ON THE FILE OF THE XVIII
ADDL. CITY CIVIL JUDGE, BNAGALORE (CCH-32),
PARTLY DECREERING THE SUIT FOR PARTITION AND
SEPARATE POSSESSION AND ETC.

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

JUDGEMENT

Learned counsel for the appellant has filed a memo stating that the appellant is willing to withdraw the appeal provided the cost imposed by the trial court is waived.

2. Learned counsel for the 1st respondent-plaintiff has no objection to waive the cost imposed by the trial court.

3. In the circumstances, the appeal is dismissed as not pressed. The cost imposed by the trial court is waived. The appellant is entitled for ^{refund of} court fee in accordance with law.

Sd/-
Judge

msu