

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

**DATED THIS THE 6<sup>th</sup> DAY OF SEPTEMBER, 2021**

**PRESENT**

**THE HON'BLE MR.JUSTICE B.VEERAPPA**

**AND**

**THE HON'BLE MR.JUSTICE N.S.SANJAY GOWDA**

**M.F.A.No.8619/2016(FC)**

**BETWEEN:**

CAPTAIN LINGARAJU B.L.,  
S/O LATE SRI J LINGAIAH,  
AN INDIAN INHABITANT OF BENGALURU,  
AGED ABOUT 60 YEARS,  
OCCUPATION: SERVICE,  
RESIDING AT No.21, 5<sup>TH</sup> CROSS,  
TEMPLE STREET, KUMARAPARK WEST,  
BENGALURU - 560 020.

**... APPELLANT**

**(BY SMT. SHRUTHI.S. FOR SMT. GEETHA DEVI .M.P. ADV.,)**

**AND:**

SMT. SRIDEVI LINGARAJU,  
W/O CAPT. LINGARAJU B.L.,  
AN INDIAN INHABITANT OF BENGALURU,  
AGED ABOUT 53 YEARS,  
OCCUPATION: HOUSE WIFE,  
RESIDING AT E - 106,  
BRIGADE GATEWAY APARTMENTS,  
DR. RAJKUMAR ROAD,  
BENGALURU - 560 055.

**ALSO AT:**

**D/O SHRI. H.M. BALAKRISHNA REDDY,**

No.43, NARASAPPA RESIDENCY,  
8<sup>TH</sup> CROSS, MALLESHWARAM,  
BENGALURU - 560 033.

... **RESPONDENT**

**(BY SRI. AMIT MANDAGI, ADV.)**

THIS APPEAL IS FILED UNDER SECTION 19(1) OF THE FAMILY COURT ACT, AGAINST THE JUDGMENT AND AWARD DATED:01.10.2016 PASSED ON MC No.3927/2011 ON THE FILE OF THE 3<sup>RD</sup> ADDITIONAL PRINCIPAL JUDGE, FAMILY COURT, BENGALURU, DISMISSING THE PETITION FILED UNDER SECTION 13(1)(ia)(ib) OF HINDU MARRIAGE ACT.

THIS APPEAL COMING ON FOR ORDERS THIS DAY, **B.VEERAPPA, J.**, DELIVERED THE FOLLOWING:

### **JUDGMENT**

1. The present appeal is filed by the appellant-husband against the impugned judgment and decree dated 01.10.2016 made in M.C.No.3927/2011 on the file of the III Additional Principal Judge, Family Court, Bengaluru dismissing the petition filed by the present appellant-husband under the provision of Section 13 (1) (ia) (ib) of the Hindu Marriage Act, 1955.

2. Smt.Shruthi S, for Smt.Geetha Devi M.P, learned counsel for the appellant has filed a memo along with the death certificate of the appellant stating that the appellant-husband died on 05.11.2018.

3. Memo is placed on record.

4. Sri.Amith, learned counsel for the respondent-wife has rightly submitted that in view of the above, nothing would survive for consideration.

5. In view of the above, the appeal is hereby ***dismissed*** as the same would not survive for consideration

**Sd/-  
JUDGE**

**Sd/-  
JUDGE**

GH