



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

**DATED THIS THE 5<sup>TH</sup> DAY OF FEBRUARY, 2026**

**BEFORE**

**THE HON'BLE MS. JUSTICE JYOTI M**

**MISCELLANEOUS FIRST APPEAL NO.6142 OF 2021 (CPC)**

**BETWEEN:**

SRI. B. ASWATHNARAYANA  
SON OF LATE BACHEGOWDA,  
AGED ABOUT 52 YEARS,  
RESIDING NO.2224, 16<sup>TH</sup> C CROSS,  
8<sup>TH</sup> MAIN, 'D' BLOCK,  
SAHAKARANAGAR,  
BENGALURU-560092.

...APPELLANT

(BY SRI. T.P.SRINIVASA, ADVOCATE FOR  
SRI. S. VENUGOPALA, ADVOCATE)

**AND:**

SRI. N.MURTHY  
SON OF SRI NARASIMHAIAH,  
AGED ABOUT 70 YEARS,  
REIDING AT NO.2236,  
16<sup>TH</sup> 'B' CROSS, 8<sup>TH</sup> MAIN ROAD,  
D BLOCK, SAHAKARANAGAR  
BENGALURU-560092.

...RESPONDENT

(BY SRI. NAGENDRA KUMAR K., ADVOCATE)

THIS MISCELLANEOUS FIRST APPEAL IS FILED UNDER  
SECTION 104 READ WITH ORDER 43 RULE 1(r) OF THE CODE  
OF CIVIL PROCEDURE, 1908.





THIS MISCELLANEOUS FIRST APPEAL IS LISTED FOR HEARING, THIS DAY, THE JUDGMENT IS DELIVERED AS UNDER:

**ORAL JUDGMENT**

Sri.T.P.Srinivasa., counsel on behalf of Sri.S.Venugopala., for the appellant and Sri.Nagendra Kumar.K., counsel for the respondent have appeared in person.

2. The appeal is filed to set aside the order dated 08.11.2021 passed by the Court of XIX Addl. City Civil and Sessions Judge, Bengaluru City on I.A.No.1 in O.S.No.3874/2021.

After arguing the matter for sometime, counsel appearing for the respective parties jointly submits that a direction may be issued to the Trial Court to dispose of the suit as expeditiously as possible.

Taking note of the said submission, appeal is disposed of and a gentle request is made to the Trial Court to dispose of the suit within an outer limit of one year from the receipt of certified copy of the order and without getting influenced by the observations and the findings recorded in the impugned order.



With the above observations, the appeal is ***disposed of***.  
The interim order granted by this Court on 15.12.2021 shall continue to operate till the disposal of the suit. Parties to cooperate for the speedy disposal of the suit.

**SD/-**  
**(JYOTI M)**  
**JUDGE**

MRP  
List No.: 1 Sl No.: 67