

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 10<sup>TH</sup> DAY OF JANUARY 2007

BEFORE

THE HON'BLE MR. JUSTICE A. C. KASBI

MISCELLANEOUS FIRST APPEAL NO. 9901/2006(CPC)

BETWEEN:

Byregowda s/o Rangegowda,  
Aged 46 years,  
Holebeedi, 1<sup>st</sup> cross,  
Nehrunagar,  
Belur.

...APPELLANT

(By Sri.Ashok Haranahalli, Adv)

AND:

Lakshmanamma w/o Badregowda,  
Aged 60 years,  
Govinahalli village,  
Kasaba Hobli,  
Belur taluk.

...RESPONDENT

This M.F.A. is filed to set aside both the judgment and decree dated 21.07.06 by the Addl. Civil Judge(Sr.Dn), Hassan passed in Mis.Appeal No.14/2006 dismissing the appeal and confirming the injunction order passed by the Civil Judge(Jr.Dn) & JMFC, Belur in O.S.No.132/05 dated 21.4.2006.

This M.F.A. coming on for orders this day, the Court delivered the following:-

*[Handwritten signature]*

**JUDGMENT**

This appeal is against the order of dismissal of the appeal filed before the learned Addl.Civil Judge(Sr.Dn), Hassan. Office has raised an objection about the maintainability of the appeal.

2. The learned Counsel for the appellant prays for permission to withdraw the appeal with liberty to present the appeal before the proper forum.

3. The appeal is disposed of directing return of the appeal memo to the appellant for presentation before the proper forum.

Sd/-  
Judge

Sri.