

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

**DATED THIS THE 31<sup>ST</sup> DAY OF MAY 2013**

**BEFORE**

**THE HON'BLE MR. JUSTICE H.G.RAMESH**

**MISCELLANEOUS FIRST APPEAL NO. 4429/2013**

BETWEEN:

M/S LARSEN & TOUBRO LIMITED  
A COMPANY WITHIN THE MEANING OF SECTION 3 OF  
THE COMPANIES ACT,  
HAVING ITS REGISTERED OFFICE AT L & T HOUSE  
NAROTTAM MORARJEE MARG  
BALLARD ESTATE  
MUMBAI - 400 038

HAVING ITS ECC DIVISION HEAD QUARTERS  
AT MOUNT - POONAMALLEE ROAD  
MANAPAKKAM  
CHENNAI - 600 089

ALSO HAVING ITS REGIONAL OFFICE AT NO.19  
I & II FLOOR, KUMARA KRUPA ROAD  
BANGALORE - 560 001

REPRESENTED BY ITS ESTATE MANAGER & POWER OF  
ATTORNEY HOLDER, MR. J. NARASIMHAN ...APPELLANT

(BY SRI K.G.RAGHAVAN, SR.CONSEL FOR  
M/S G.R. ANANTHARAM & ASSOCIATES, ADVOCATES)

AND:

1. MR. DINESH P. RANKA  
AGED ABOUT 56 YEARS  
S/O SRI DEVARAJ H. RANKA  
NO. 634, RANKA PARK NOS. 4, 5 & 6  
LALBAGH ROAD  
BANGALORE - 560 025

2. SOUTH CITY GROUP HOUSING APARTMENT OWNERS ASSOCIATION (SUGRUHA)  
CLAIMING TO BE HAVING ITS OFFICE AT THE CLUB HOUSE OF SOUTH CITY, ADJACENT TO ARKERE MICO LAYOUT, OFF BANNERGHATTA ROAD KOTHANUR, BANGALORE - 560 076  
REPRESENTED BY ITS PURPORTED SECRETARY/PRESIDENT MR. RAJAGOPALAN
3. FEDERATION OF SOUTH CITY APARTMENTS OWNERS ASSOCIATION (FOSCOA)  
CLAIMING TO BE HAVING ITS OFFICE AT THE CLUB HOUSE OF SOUTH CITY ADJACENT TO ARKERE MICO LAYOUT OFF BANNERGHATTA ROAD KOTHANUR, BANGALORE - 560 076  
REPRESENTED BY ITS PURPORTED SECRETARY MR. A.V. VENKATESH
4. SOUTH CITY (B-1 TO B-5 BUILDINGS) OWNERS ASSOCIATION  
CLAIMING TO BE HAVING ITS OFFICE AT THE CLUB HOUSE OF SOUTH CITY, ADJACENT TO ARKERE MICO LAYOUT OFF BANNERGHATTA ROAD KOTHANUR, BANGALORE - 560 076  
REPRESENTED BY ITS PURPORTED SECRETARY MR. L.V. SUBRAMANYAM ...RESPONDENTS

MFA IS FILED UNDER ORDER 43 RULE 1(s) OF CPC, AGAINST THE ORDER DATED 30.03.2013 PASSED ON I.A.NO.5 IN O.S.NO.401/2012 ON THE FILE OF THE 9<sup>TH</sup> ADDITIONAL CITY CIVIL & SESSIONS JUDGE, BANGALORE, ALLOWING I.A.NO.5 FILED UNDER ORDER 40 RULE 1 OF CPC.

MFA COMING ON FOR ORDERS THIS DAY, THE COURT DELIVERED THE FOLLOWING:

**J U D G M E N T**

**H.G.RAMESH, J. (Oral):**

In view of the order made in MFA No.3209/2013 today, Sri K.G. Raghavan, learned senior counsel appearing for the appellant submits that the appellant does not press this appeal. Accordingly, the appeal is dismissed as not pressed. In view of dismissal of the appeal, I.A. No.1/2013 filed for interim stay also stands dismissed.

***Appeal dismissed.***

**Sd/-  
JUDGE**

BNS