CNR: KAHC010329352024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MS. JUSTICE TARA VITASTA GANJU

WRIT PETITION NO. 16727 OF 2024 (GM-CPC)

BETWEEN:

1. SMT. RAZIA KHANUM
W/O LATE MOHAMMED ISMALIL KHAM DURRANI,
AGED ABOUT 88 YEARS,
AADHAR NO.739707101002
NO.42/5C, BENKI NAWAD STREET,
MANDI MOHALLA, MYSURU-570 001.

2. SMT. NAAZ DURRANI
D/O LATE MOHAMMED ISMALIL KAHAN DURRANI,
AGED ABOUT 70 YEARS,
AADHAR NO.762353846869
R/AT NO.1421, BENKINAWAB STREET,
MANDI MOHALLA, MYSURU-570 001.

3. RAHILA DURRANI
D/O LATE MOHAMMED ISMAIL KHAN DURRANI,
AGED ABOUT 69 YEARS,
AADHAR NO.777903693513,
R/AT NO.550/2, PENSION MOHALL,
CHIKKAMAGALUR-577 101.

4. NUR MOHAMMED KHAN DURRANI
S/O LATE ABDUL SATTHAR DURRANI,
AGED ABOUT 93 YEARS,
AADHAR NO.285915920204.
NO.1401, BENKI NAWAB STREET,
MANDI MOHALLA, MYSURU-570 001.

5. BIBI LIYA
W/O ALI MOHAMMED KHAN DURRANI,

Digitally signed by SUMATHY KANNAN
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AGED ABOUT 87 YEARS,
AADHAR NO.20989182208

6. SHRI OMAR KHAN DURRANI
S/O ALI MOHAMMAED KHAN DURRANI,
AGED ABOUT 54 YEARS,

R/AT NO.1421, BENKI NAWAB STREET,
MANDI MOHALLA, MYSURU-570 001.

NOW AT 71, 4TH MAIN ROAD,
3RD CROSS BANNIMANTAP C LAYOUT,
MYSURU, KARNATAKA-570 015.

7. KANEEZ FATHIMA
D/O ALI MOHAMMED KHAN DURRANI,
AGED ABOUT 82 YEARS,
AADHAR NO.454643085619,

8. SMT. FIRDOUSE
D/O ALI MOHAMMED KHAN DURRANI,
AGED ABOUT 80 YEARS,
AADHAR NO.325903276177,

9. MARIA KULSUM
D/O ALI MOHAMMED KHAN DURRANI,
AGED ABOUT 74 YEARS,
AADHAR NO.514084892563,

PETITIONER NO.S.5,7 TO 9
ARE ALL R/AT NO.71, 3RD CROSS,
9TH MAIN, BANNIMANTAP C LAYOUT,
MYSURU-570 015.

…PETITIONERS

(BY SRI. GANAPATHI SUBBARAYA BHAT., ADVOCATE)

AND:

1. SYED ASGAR PASHA
S/O LATE SYED ABDUL HAMEED,

AGED ABOUT 72 YEARS,
R/AT DOOR NO.2827, 9TH CROSS,
SAWDAY ROAD, MANDI MOHALLA,
MYSURU-570 015.

2. SHRI. KEMPEGOWDA,
S/O KARIGOWDA,
AGED ABOUT 56 YERAS,
R/AT K.M.HUNDI VILLAGE,
KADAKOLA HOBLI, MYSURU-570 001.

…RESPONDENTS

(BY SRI. SANGAMESH.R.B., ADVOCATE FOR R2)

THIS WP IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA, PRAYING TO CALL FOR THE ENTIRE RECORDS IN OS NO.951/2022 PENDING ON THE FILE OF THE COURT OF IV ADDL. SENIOR CIVIL JUDGE AND JMFC AT MYSURU. SET ASIDE THE ORDER DTD 12.03.2024 ON IA U/S 10 R/W 151 OF CPCPASSED BY THE COURT OF IV ADDL.SENIOR CIVIL JUDGE AND JMFC AT MYSURU IN OS NO. 951/2022 AT ANNEXURE-A.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORAL ORDER

1. Learned counsel for the petitioners submits that the matter has become infructuous in view of the fact that one of the issues raised in the petition was challenged all the way upto the Supreme Court and the Supreme Court has dismissed the challenge. He has filed a memo in this regard.

2. He however submits that given that the suit is pending since the year 2022, an order directing expeditious disposal may be passed.

3. Learned counsel for the respondent No.2 (contesting respondent), does not refute this contention of the counsel for the petitioners.

4. The memo is taken on record. In view of the memo filed, the petition is ***dismissed*** as having become infructuous. Pending applications stand closed.

5. The parties jointly submit that they will not take any unnecessary adjournment before the Trial Court. The parties are bound down by their statements made before this Court.

Digitally signed by TARA VITASTA GANJU
Location: HIGH COURT OF KARNATAKA

(TARA VITASTA GANJU)
JUDGE

KS
List No.: 1 Sl No.: 3