

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 18TH DAY OF AUGUST, 2021

PRESENT

THE HON'BLE Mr. JUSTICE ARAVIND KUMAR

AND

THE HON'BLE Mr. JUSTICE PRADEEP SINGH YERUR

COMMERCIAL APPEAL No.34 OF 2021

BETWEEN:

BANASHANKARI GRUHA
NIRMANA SAHAKARA SANGHA
POOJA COMPLEX, AMRUTHANANDAMAYI
BUS STOP, BOGADI MAIN ROAD
2ND STAGE, MYSURU - 570 026
REPRESENTED BY ITS PRESIDENT ... APPELLANT

(BY SRI VARUN JAYAKUMAR PATIL, ADVOCATE)

AND:

1. M/S.BHUSHAN DEVELOPERS
NO.92, LIC COLONY
SRIRAMPURA, 2ND STAGE
MYSURU - 570 023
REPRESENTED BY ITS PARTNERS
SRI N.DEVADATTA &
SRI H.M.DINDIMA BHUSHANA
2. SRI R.VENKATESH
DISTRICT & SESSIONS JUDGE AND ARBITRATOR
NO.370/2, SUBBAIAH ROAD
1ST CROSS, CHAMARAJA MOHALLA
MYSURU - 570 004 RESPONDENTS

(BY SRI K.BHASKAR, ADVOCATE FOR C/R)

THIS COMMERCIAL APPEAL IS FILED UNDER SECTION 13
OF THE COMMERCIAL COURTS ACT, 2015 PRAYING TO SET
ASIDE THE JUDGMENT PASSED IN COM.AP.NO.2/2020 WITH

REGARD FINDINGS ON POINT NO.2 IN PARA 26 OF THE ORDER PASSED BY II ADDITIONAL DISTRICT & SESSIONS JUDGE, MYSURU AND ETC.

THIS APPEAL COMING ON FOR ORDERS THIS DAY, **ARAVIND KUMAR J.,** DELIVERED THE FOLLOWING:

J U D G M E N T

Learned counsel appearing for appellant has filed a memo stating thereunder that appellant may be permitted to withdraw the appeal as the compromise petition has been filed in Ex.No.244/2019 before II Additional District and Sessions Judge, Mysuru and same came to be disposed of in terms of order dated 02.08.2021.

Placing said memo on record, appeal is ***dismissed*** as withdrawn.

In view of commercial appeal having been dismissed, IA.No.1/2021 for stay does not survive for consideration and it stands rejected.

Sd/-
JUDGE

Sd/-
JUDGE