



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 9TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE V SRISHANANDA

REGULAR SECOND APPEAL NO. 208 OF 2019 (PAR)

BETWEEN:

1. SRI. SIDDANA GOWDA
S/O. LATE. SRI. S.G. NAGANA GOWDA,
AGED ABOUT 66 YEARS
AGRICULTURIST,
R/O. AT GULEDAHALLI VILLAGE,
SHIKARIPURA TALUK,
SHIVAMOGGA DISTRICT - 577 429.
2. SRI. MALLANA GOWDA
S/O. LATE. SRI. S.G. NAGANA GOWDA,
AGED ABOUT 58 YEARS
AGRICULTURIST,
R/O. AT GULEDAHALLI VILLAGE,
SHIKARIPURA TALUK,
SHIVAMOGGA DISTRICT - 577 429.

...APPELLANTS

(SRI. SIDDANA GOWDA, APPELLANT 1 (DECEASED);
SRI. MALLANA GOWDA, APPELLANT 2 - SERVED)

AND:

1. SMT. VIJAYAMMA
W/O. SHANKARA GOWDA,
AGED ABOUT 42 YEARS
R/O AT GURUKRUPA M.S. ARALI,
2ND CROSS,
CHOWDESHWARI BADAVANE,
RANIBENNUR TOWN,
HAVERI DISTRICT - 581 115.

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Location:
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KARNATAKA



2. SMT. SHOBA
W/O. BASAVARAJA HULLUMANI,
AGED ABOUT 54 YEARS
R/O. AT NO. PLOT NO. 25,
SHANKARA, GANDHI NAGARA MAIN ROAD,
NEAR BANDYAMMA TEMPLE,
DHARWAD CITY - 580 001.
3. SRI. VEERANA GOWDA
S/O. LATE. SRI. S.G. NAGANA GOWDA,
AGED ABOUT 56 YEARS
AGRICULTURIST,
R/O. AT GULEDAHALLI VILLAGE,
SHIKARIPURA TALUK,
SHIVAMOGGA DISTRICT - 577 427.
4. SMT. PARVATHAMMA
W/O. LATE. SRI. S.G. NAGANA GOUDA,
(SINCE DECEASED BY LRS,
APPELLANTS 1 & 2 AND
RESPONDENTS 1 TO 3)

...RESPONDENTS

(BY SRI. SHIVAPRASAD SHANTANAGOUDAR, ADVOCATE FOR
R1;
R2 AND R3 - SERVED)

THIS RSA IS FILED UNDER SEC.100 OF CPC, 1908
AGAINST THE JUDGMENT AND DECREE DTD 11.10.2018
PASSED IN RA.NO.35/2013, ON THE FILE OF 2ND
ADDL.DISTRICT AND SESSIONS JUDGE, SHIVAMOGGA
DISMISSING THE APPEAL AND MODIFYING THE JUDGMENT
AND DECREE DATED 09.11.2012 PASSED IN OS.NO.37/2011
ON THE FILE OF THE SENIOR CIVIL JUDGE, AND JMFC.,
ITIENARY SHIKARIPUR.

THIS APPEAL, COMING ON FOR ORDERS, THIS DAY,
JUDGMENT WAS DELIVERED THEREIN AS UNDER:



CORAM: HON'BLE MR. JUSTICE V SRISHANANDA

ORAL ORDER

This Court vide order dated 15.06.2025, issued Court notice to the appellants accepting the memo of retirement filed by learned counsel for the appellants.

Court notice returned with an endorsement that appellant No.1 is no more and appellant No.2 is served personally.

Appellant No.2 called out absent.

Left with no alternative, appeal stands ***dismissed for non prosecution.***

**Sd/-
(V SRISHANANDA)
JUDGE**

KAV
List No.: 1 Sl No.: 14