



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 3RD DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE H.P.SANDESH

REGULAR SECOND APPEAL NO.78 OF 2012 (INJ)

BETWEEN:

1. SMT. JAYAMMA,
W/O KARISIDDAPPA,
AGED ABOUT 46 YEARS,
GARDENER,
R/AT DAVANAGERE CITY MUNICIPALITY,
DAVANAGERE-577002.
2. PANDURAJA,
S/O LATE KARISIDDAPPA,
AGED ABOUT 34 YEARS,
SECOND DIVISION CLERK,
ACCOUNT SECTION,
CITY MUNICIPALITY,
DAVANAGERE-577002.

...APPELLANTS

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by DEVIKA M
Location: HIGH
COURT OF
KARNATAKA

(BY SRI. M. RAM BHAT, ADVOCATE - ABSENT)

AND:

1. SMT. NAGARATHNAMMA,
W/O BRAHMAPPAL CHALAGERI,
SINCE DEAD BY HER LR.
- 1(a) SRI. MANOHAR KUMAR C.B.,
S/O LATE BRAHMAPPAL CHALAGERI,
AGED ABOUT 63 YEARS,
R/O. NO.45, BELAKU,
JNANAVIHAR EXTENSION,



NEAR COUNTRY CLUB,
VIDHYANAGAR,
SHIVAMOGGA-577203.

(AMENDED VIDE COURT ORDER DATED 26.04.2019)

2. DAVANAGERE CITY MUNICIPALITY,
DAVANAGERE-577002,
BY ITS COMMISSIONER.
3. S.K. LOKESH,
S/O LATE KARISIDDAPPA,
AGED ABOUT 41 YEARS,
C/O SMT. JAYAMMA,
R/O. M.C.C.BLOCK,
DAVANAGERE-577002.
4. S.K. CHANDRASHEKAR,
S/O LATE KARISIDAPPA,
AGED ABOUT 34 YEARS,
C/O SMT. JAYAMMA,
R/O M.C.C.BLOCK,
DAVANAGERE-577002.

...RESPONDENTS

(BY SRI. B.S.SACHIN, ADVOCATE FOR R1(a);
SRI. B.K.MANJUNATH, ADVOCATE FOR R2;
VIDE ORDER DATED 07.02.2013,
NOTICE TO R3 AND R4 DISPENSED WITH)

THIS RSA IS FILED UNDER SECTION 100 OF CPC,
AGAINST THE JUDGMENT AND DECREE DATED 17.09.2011
PASSED IN R.A.NO.34/2006 ON THE FILE OF THE II ADDL.
DISTRICT JUDGE, DAVANAGERE, ALLOWING THE APPEAL AND
SETTING ASIDE THE JUDGMENT AND DECREE DATED
15.02.2006 PASSED IN O.S.NO.160/1995 ON THE FILE OF THE
PRL. CIVIL JUDGE (SR.DN), DAVANAGERE.

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



CORAM: HON'BLE MR. JUSTICE H.P.SANDESH

ORAL JUDGMENT

When this matter was listed on 22.06.2026, the learned counsel for the appellants was absent. Hence, this Court directed the learned counsel for the appellants to clarify with regard to the submission of the learned counsel for the respondents that an alternative site is given to the appellants. This Court also made it clear that if the learned counsel for the appellants fails to appear on the next date of hearing, the appeal will be dismissed. In spite the matter is listed for dismissal, there is no representation on behalf of the appellants. Hence, the appeal is dismissed.

**Sd/-
(H.P.SANDESH)
JUDGE**

MD
List No.: 1 Sl No.: 73