IN THE HIGH COURT OF KARNATAKA, DHARWAD BENCH

DATED THIS THE 12TH DAY OF MARCH, 2024

PRESENT

THE HON'BLE MR JUSTICE E.S.INDIRESH

AND

THE HON'BLE MR JUSTICE RAMACHANDRA D. HUDDAR

REGULAR FIRST APPEAL NO.100042 OF 2022 (DEC/INJ)

BETWEEN:

YALLAVVA W/O. FAKIRAPPA HUGGI
SINCE DECEASED PLAINTIFF
NO.1(A) IS HER LR.

1. SHRI. SHIVABASAVVA
S/O. FAKKIRAPPA GANIGER,
AGE: 36 YEARS,
OCC: AGRICULTURE,
R/O: MADALAGERI,
TQ: RON, DIST: GADAG-582101.

2. SRI. BANASHANKARI
S/O. AYYANAGOUDA HIRESAKRAGOUDRA,
AGE: 38 YEARS,
OCC: AGRICULTURE,
R/O: MADALAGERI,
TQ: RON, DIST: GADAG-582101.

3. MAHALAKSHMI
D/O. AYYANAGOUDA HIRESAKRAGOUDRA,
AGE: 35 YEARS,
OCC: AGRICULTURE,
R/O: MADALAGERI,
TQ: RON, DIST: GADAG-582101.

4. SARSWATI S/O. AYYANAGOUDA
HIRESAKRAGOUDRA,

SHIVAKUMAR HIREMATH
Location: HIGH COURT OF KARNATAKA DHARWAD BENCH
Date: 2024.03.19 14:35:47 +0530

AGE: 31 YEARS,
OCC: AGRICULTURE,
R/O: MADALAGERI,
TQ: RON, DIST: GADAG-582101.

…APPELLANTS

(BY SRI.PRAKASH ANDANIMATH, ADVOCATE - ABSENT)

AND:

1. MANJULA ANNIGERI @ MANULA
AYYANAGOUDA SAKARGOUDRA,
AGE: 36 YEARS,
OCC: HOUSEHOLD,
R/O: KANYAL-AGASI,
TQ: BETAGERI-GADAG-582101.

2. MAHADEVI D/O. ISHWARAPPA ANNIGERI
@ MAHADEVI W/O. AYYANAGOUDA
SAKRAGOUDRA,

(SINCE DECEASED DEFEDANT
NO.1 IS HER LR)

3. MUTTURAJ S/O. AYYANAGOUDA
HIRESAKRAGOUDA,
AGE: 32 YEARS,
OCC: AGRICULTURE,
R/O: MADALAGERI,
TQ: RON, DIST: GADAG-582101.

4. SMT. VEERAVVA W/O. AYYANAGOUDA
HIRESAKRAGOUDA,
AGE: 61 YEARS,
OCC: AGRICULTURE,
R/O: MADALAGERI, TQ: RON,
DIST: GADAG-582101.

5. GANGAVVA W/O. IRAPPA SULLIKERI
AGE: 61 YEARS,
OCC: AGRICULTURE,

R/O: MADALAGERI,
TQ: RON, DIST: GADAG-582101.

TIPPAVVA W/O. BASANAGOUDA
HIRESAKRAGOUDRA,
(SINCE DECEASED, PLAINTIFF
NO'S 2 TO 4 ARE HER LRS)

6. RENAVVA W/O. AYYANAGOUDA
HIRESAKARGOUDRA,
AGE: 56 YEARS,
OCC: AGRICULTURE,
R/O: MADALAGERI,
TQ: RON, DIST: GADAG-582101.

7. MAHESH A/F BHARAMAPPA GADAGIN
AGE: MAJOR,
OCC: AGRICULTURE,
R/O: BETAGERI,
KURAHATTI PET, TQ: GADAG-582101.

…RESPONDENTS

(BY SRI.H. N.GULARADDI, ADVOCATE FOR R1;
SRI. SHARAD M.PATIL, ADVOCATE FOR R5;
SRI. SRIKANT T.PATIL AND SRI.ROHIT S.PATIL,
ADVOCATES FOR R7)

(R3, R4 & R6 ARE SERVED AND UNREPRESENTED)
(R2 DEAD, R1 IS LRs OF R2)

THIS RFA IS FILED UNDER SEC.96 OF CPC., AGAINST THE JUDGMENT AND DECREE DATED 07.12.2021 PASSED IN O.S.NO.67/2015 ON THE FILE OF THE SENIOR CIVIL JUDGE AND JUDICIAL MAGISTRATE FIRST CLASS, RON, DISMISSING THE SUIT FILED FOR DECLARATION, PARTITION AND SEPARATE POSSESSION, PERMANENT INJUNCTION.

THIS APPEAL COMING ON FOR ADMISSION, THIS DAY, ***E.S.INDIRESH, J.,*** MADE THE FOLLOWING:

ORDER

There is no representation on behalf of the appellants. On the last occasion i.e. on 28.02.2024 also, no representation was made on behalf of the appellants. Accordingly, the appeal is dismissed for non-prosecution.

Sd/-
JUDGE

Sd/-
JUDGE

KMS
List No.: 1 Sl No.: 23