NC: 2024:KHC-D:11705
RFA No. 100088 of 2024

IN THE HIGH COURT OF KARNATAKA,

DHARWAD BENCH

DATED THIS THE 19TH DAY OF AUGUST, 2024

BEFORE

THE HON'BLE MS. JUSTICE JYOTI MULIMANI

REGULAR FIRST APPEAL NO. 100088 OF 2024 (PAR)

BETWEEN:

1. MEHABOOBSAB
   S/O KARIMSAB PINJAR,
   AGE: 53 YEARS,
   OCC: AGRICULTURE,
   R/O: SHINDHIKURBET, TQ: GOKAK,
   DIST: BELAGAVI-591 218.

2. MIRASAB
   S/O SHABUDIN NADAF,
   AGE: 52 YEARS,
   OCC: HOUSEHOLD,
   R/O: SHINDHIKURBET, TQ: GOKAK,
   DIST: BELAGAVI-591 218.

...APPELLANTS

Digitally signed by PREMCHANDRA M R
Location: HIGH COURT OF KARNATAKA

(BY SRI. KIRANKUMAR CHATTIMATH., ADVOCATE [ABSENT])

AND:

SMT. MEERAMMA W/O KARIMSAB PINJAR,
AGE: 54 YEARS, OCC: AGRI. AND HOUSEHOLD,
R/O: LOLASUR, TQ: GOKAK,
DIST: BELAGAVI-591 218.

...RESPONDENT

THIS REGULAR FIRST APPEAL FILED UNDER SECTION 96 R/W ORDER XLI RULE 1 OF CODE OF CIVIL PROCEDURE, 1908.

THIS REGULAR FIRST APPEAL IS LISTED FOR DISMISSAL, THIS DAY, AN ORDER IS MADE AS UNDER:

ORAL ORDER

When the matter is called, there is no representation on behalf of the appellants, either personally or through video conferencing. When the matter is listed before the Court, and is called out, the advocate must be present in the Court. His or her absence may effect the case.

As could be seen from the daily order sheet, the appeal was listed on 30.07.2024, on that day, when the matter was called, there was no representation on behalf of the appellants, either personally or through video conferencing. However, in the interest of justice and as a last chance, finally two weeks time was granted to comply office objections, failing which, the office was directed to list this matter under the caption 'for dismissal of appeal for non compliance of office objections' on 19.08.2024.

The appeal is listed today under the caption 'for dismissal'. Despite granting time, the office objections are not complied. As already noted above, when the matter is called, today also there is no representation on behalf of the appellants, either personally or through video conferencing. It appears that the appellants are not interested in prosecuting

the appeal. Hence, the Regular First Appeal is ***dismissed*** for non-prosecution and also for compliance of office objections.

Sd/-
(JYOTI MULIMANI)
JUDGE

MRP
List No.: 1 Sl No.: 19