NC: 2024:KHC-D:11782
RFA No. 100107 of 2024

IN THE HIGH COURT OF KARNATAKA,

DHARWAD BENCH

DATED THIS THE 20TH DAY OF AUGUST, 2024

BEFORE

THE HON'BLE MS. JUSTICE JYOTI MULIMANI

REGULAR FIRST APPEAL NO. 100107 OF 2024 (DEC/INJ)

BETWEEN:

SHEKAPPA S/O DURGAPPA
VADDARKALL ALIAS HIREVADDARAKALL,
AGE: 49 YEARS,
OCC: AGRICULTURE AND AUTO DRIVER,
R/O SHETTAR LAYOUT, VIJAYALAXMI COLONY,
VIDYANAGAR, HUBBALLI, DIST: DHARWAD.

…APPELLANT

(BY SRI. PRAVEEN.G.KULKARNI., ADVOCATE)

AND:

1. SRI DURGAPPA
   S/O HANUMATHAPPA HIREVADDARAHALLI,
   SINCE DECEASED BY LR'S,

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

2. SMT. IRAMMA W/O MUDIYAPPA BEVINAGIDA,
   AGE ABOUT 33 YEARS, OCC: HOUSE WIFE,
   R/O HIREVADDARKALL, TALUKA: YELBURGA,
   DIST: KOPPAL.

3. HANUMANTAPPA HIMSELF CALLING AS
   S/O DURAGAPPA HIREVADDARKALL,
   AGED ABOUT 56 YEARS, OCC: NIL,
   R/O HIREVADDARKALL, TALUKA: YELBURGA,
   DIST: KOPPAL.

4. LAKSHMAVVA
   W/O HANUMANTAPPA HIREVADDARKALLA,
   AGED ABOUT 33 YEARS, OCC: HOUSEHOLD,
   R/O HIREVADDARKALL,

TALUKA: YELBURGA,
DIST: KOPPAL.

…RESPONDENTS

THIS REGULAR FIRST APPEAL IS FILED UNDER SECTION 96 RULE 1 READ WITH SECTION 41 OF CODE OF CIVIL PROCEDURE, 1908.

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

ORAL ORDER

Sri.Praveen G.Kulkarni., learned counsel for the appellant has appeared in person.

Counsel for the appellant seeks time to comply with the office objections.

This Court is not inclined to grant time. The reason is simple. As could be seen from the daily order sheet, the appeal was listed on 31.07.2024, on that day, when the matter was called, there was no representation on behalf of the appellant, 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 20.08.2024.

The appeal is listed today under the caption 'for dismissal'. Despite granting time, the office objections are not complied. The appellant has not respected the Court order. It appears that the appellant is not interested in prosecuting the appeal. Hence, the Regular First Appeal is ***dismissed*** non-compliance of office objections.

Sd/-
(JYOTI MULIMANI)
JUDGE

MRP
List No.: 1 Sl No.: 27