NC: 2024:KHC-D:4829
RSA No. 1334 of 2007
C/W RSA No. 1335 of 2007

IN THE HIGH COURT OF KARNATAKA, DHARWAD BENCH

DATED THIS THE 04TH DAY OF MARCH, 2024

BEFORE

THE HON'BLE MR JUSTICE HANCHATE SANJEEVKUMAR

REGULAR SECOND APPEAL NO. 1334 OF 2007 (SP)
C/W
REGULAR SECOND APPEAL NO. 1335 OF 2007

IN RSA NO.1334/2007

BETWEEN:

1. FAKKIRAPPA HONAPPA
HITTALAMANI,
AGED ABOUT 63 YEARS,
R/O: TEREDAHALLI, BYADAGI TALUK,
HAVERI DISTRICT-581115

2. UMESHA CHANNABASAPPA DODDAMANI,
S/O. CHANNABASAPPA,
AGED ABOUT 37 YEARS,
R/O BYADAGI,
HAVERI DISTRICT-581115

...APPELLANTS

(BY SRI MALLIKARJUNSWAMY B. HIREMATH, ADVOCATE)

AND:

1. GOPALA LAXMANA KARNOOL,
SINCE DECEASED BY LEGAL HEIRS

1(A) SMT. RATANAWWA
W/O. LATE GOPALA LAXMANA KARNOOL
AGE:52 YEARS,

1(B) SUNAKAPPA S/O. LATE GOPALA KARNOOL
AGE: 34 YEARS,

1(C) SHASHIKALA D/O. LATE GOPALA KARNOOL
AGE: 37 YEARS,

SUJATA SUBHASH PAMMAR
Digitally signed by SUJATA SUBHASH PAMMAR
Date: 2024.03.05 21:12:18 -0800

1(D) SUJATHA D/O. LATE GOPALA KARNOOL
AGE: 35 YEARS,

1(E) NAGLAKSHMA D/O. LATE GOPALA KARNOOL
AGE: 33 YEARS,

1(F) RAGHVENDRA S/O. LATE GOPALA KARNOOL
AGE: 31 YEARS,

1(G) SRINIVAS S/O. LATE GOPALA KARNOOL
AGE:29 YEARS,

1(H) MANJUNATH S/O. LATE GOPALA KARNOOL
AGE: 27 YEARS,

1(I) LAXMAN S/O. LATE GOPALA KARNOOL
AGE: 26 YEARS,

ALL ARE R/O SAJJANSHETTAR PLOT,
PANDURANGA THEATER ROAD, BYADGI,
TQ: BYADGI, DIST: HAVERI.

…RESPONDENTS

(BY SRI LAXMAN T. MANTAGANI, ADVOCATE FOR R1(A) TO (I)

THIS REGULAR SECOND APPEAL IS FILED UNDER SETION 100 OF THE CODE OF CIVIL PROCEDURE, 1908, PRAYING TO SET ASIDE THE JUDGEMENT AND DECREE DATED 06.02.2007 PASSED BY THE ADDL. CIVIL JUDGE (SR.DN.), RANEBENNUR, IN R.A.NO.6/2002 AND ALLOW THE APPEAL WITH COST, IN THE INTEREST OF JUSTICE AND EQUITY.

IN RSA NO.1335/2007

BETWEEN:

UMESHA CHANNABASAPPA DODDAMANI,
AGED ABOUT 37 YEARS,
R/O BYADAGI, HAVERI DISTRICT-581115

…APPELLANT

(BY SRI MALLIKARJUNSWAMY B. HIREMATH, ADVOCATE)

AND:

1. GOPALA LAXMANA KARNOOL,
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THESE APPEALS COMING ON FOR ORDERS THIS DAY, THE COURT DELIVERED THE FOLLOWING:

ORDER

The appellant No.1 is dead. The learned counsel for appellants submitted that the legal heirs of deceased appellant No.1 are not coming forward to come on record as his legal representatives. Therefore, the appeals are dismissed as abated.

Sd/-
JUDGE

MRK
CT:ANB
List No.: 1 Sl No.: 3