IN THE HIGH COURT OF KARNATAKA,

DHARWAD BENCH, DHARWAD

DATED THIS 23RD DAY OF JULY, 2024

BEFORE

HON'BLE MR. JUSTICE C.M.POONACHA

RSA NO. 100529/2020 (PAR/POS)

BETWEEN:

1 . SRI.MIRZZA S/O HASANSAB
APARAZ
AGE: 61 YEARS,
OCC: BUSINESS,
R/O: KUMBAR GALLI,
TQ: JAMKHANDI,
DIST: BAGALKOT.
PIN CODE:587301

...APPELLANT

(BY SRI : MALLIKARJUN C. HUKKERI ADVOCATE FOR APPELLANT)

AND

1 . SRI.ANAND S/O SIDAGHANTAYYA SALIMATH
AGE: 37 YEARS,
OCC: ELECTRICIAN,
R/O: JAMBUKESHWAR GALLI JAMKHANDI,
TQ: JAMKHANDI,
DIST: BAGALKOT.
PIN CODE:587301

2 . SRI.NAGARAJ S/O SIDAGHANTAYYA SALIMATH
AGE: 35 YEARS,
OCC: BAKERY BUSINESS,
R/O: JAMBUKESHWAR GALLI,
JAMKHANDI,

TQ: JAMKHANDI,
DIST: BAGALKOT.
PIN CODE:587301

SMT.GEETA W/O HOLEBASAYYA GANACHARI
SINCE DECEASED BY HER LRS.,

3 . SRI. HOLEBASAYYA S/O LIKAYYA GANACHARI
AGE:41 YEARS,
OCC: AGRICULTURE,
R/O: LOKAPUR,
TQ: MUDHOL,
DIST: BAGALKOT.
PIN CODE:587313

4 . KUMAR.PRITAM S/O HOLEBASAYYA GANACHANRI
AGE: 15 YEARS,
OCC: STUDENT,
R/O: LOKAPUR,
TQ: MUDHOL,
DIST: BAGALKOT.
PIN CODE: 587313

5 . KUMAR.GOUTAM S/O HOLEBASAYYA GANACHARI
AGE: 11 YEARS,
OCC: STUDENT,
R/O: LOKAPUR,
TQ: MUDHOL,
DIST: BAGALKOT, PIN CODE: 587313

THE APPELLANT NO. IS NATURAL FATHER M/G AND
NEXT FRIEND OF RESPONDENT NO.4 AND 5.

6 . SMT.BOURAWWA W/O SIDAGHANTAYYA SALIMATH
AGE: 51 YEARS,
OCC: HOUSE HOLD WORK,
R/O: JAMBUKESHWAR GALLI,
JAMKHANDI,
TQ: JAMKHANDI,
DIST: BAGALKOT. PIN CODE:587301

7 . SMT.MAHADEVI W/O BALADEV SALIMATH
AGE: 50 YEARS,
OCC: HOUSE-HOLD WORK,
R/O: MALLIKARJUN GALLI,
JAMKHANDI,
TQ: JAMKHANDI,
DIST: BAGALKOT.
PIN CODE:587301

8 . SRI.VINOD S/O BALADEV SALIMATH
AGE: 32 YEARS,
OCC: ELECTRICIAN,
R/O: MALLIKARJUN GALLI,
JAMKHANDI,
TQ: JAMKHANDI,
DIST: BAGALKOT.
PIN CODE:587301

9 . MISS.MAHANANDA S/O BALADEV SALIMATH
AGE: 28 YEARS,
OCC: HOUSE-HOLD-WORK,
R/O: MALLIKARJUN GALLI,
JAMKHANDI,
TQ: JAMKHANDI,
DIST: BAGALKOT.
PIN CODE:587301

10 . SMT.DANAMMA D/O BALADEV SALIMATH
AGE: 28 YEARS,
OCC: HOUSE-HOLD-WORK,
R/O: MALLIKARJUN GALLI,
JAMKHANDI,
TQ: JAMKHNDI,
DIST: BAGALKOT.

SMT.SUSHILAWWA W/O SHIVAYYA MATHAPATI
SINCE DECEASED BY HER LRS.,

11 . SRI.SURESH S/O SHIVAYYA MATHAPATI,
AGE: 40 YEARS,
OCC: EDUCATION,

R/O: JAMBUKESHWAR GALLI,
JAMKHANDI,
TQ: JAMKHANDI,
DIST: BAGALKOT.
PIN CODE:587301

12 . SMT.AYYAWWA D/O SHIVAYYA MATHAPATI
AGE: 38 YEARS,
OCC: HOUSEHOLD ,
R/O: CHINAGUNDI FARM HOUSE,
JAMKHANDI,
TQ: JAMKHANDI,
DIST: BAGALKOT.
PIN CODE:587301

13 . SRI.SIDAGHANTAYYA S/O NOORANDAYYA SALIMATH
AGE: 72 YEARS,
OCC: NIL,
R/O: JAMBUKESHWAR GALLI,
JAMKHANDI,
TQ: JAMKHANDI,
DIST: BAGALKOT.
PIN CODE:587301

(BY SRI : GIRISH YADAWAD, C/R1-R2 & R6)

…RESPONDENTS

RSA FILED U/SEC.100 OF CPC, AGAINST THE JUDGEMENT AND DECREE DATED 26.05.2020 PASSED IN R.A.NO.31/2016 ON THE FILE OF THE PRINCIPAL SENIOR CIVIL JUDGE, JAMKHANDI, ALLOWING THE APPEAL AND SETTING ASIDE THE JUDGMENT AND DECREE DTD.20.7.2016, PASSED IN O.S. NO.196/2010 ON THE FILE OF THE PRINCIPAL CIVIL JUDGE AND JUDICIAL MAGISTRATE FIRST CLASS, JAMKHANDI, DISMISSING THE SUIT FILED FOR PARTITION AND SEPARATE POSSESSION.

THIS APPEAL COMING ON FOR ORDERS THIS DAY, THE COURT MADE THE FOLLOWING;

O R D E R

Two weeks time is granted to comply with office objections, failing which, the above appeal shall automatically stand dismissed without further reference to the Bench.

SD/-
JUDGE

//COPY//

Note:- As per endorsement made in the order sheet dated 22.08.2024. Advocate for the appellants has not complied with the office objections at sl.no. 4, 8, 9 & 11 to 14. Hence, this RSA No. 100529/2020 stand dismissed without further reference to the Bench as per the Court Order dated 23.07.2024.

BY ORDER OF THE COURT
SD/-
ASSISTANT REGISTRAR.

R- By:-rv
C- By:-rv
T- By: -psl