IN THE HIGH COURT OF KARNATAKA,

DHARWAD BENCH, DHARWAD

DATED THIS 25TH DAY OF JUNE, 2024

BEFORE

HON'BLE MR. JUSTICE C.M. POONACHA

RSA NO. 100612 OF 2023

BETWEEN:

N V VIVEKANANDA SWAMY S/O N. MURIGENDRAPPA
AGE. 65 YEARS, OCC. ADVOCATE, R/O. BALLARI

... APPELLANT

(BY SRI. CHETAN MUNNOLI AND SMT. SURABHI KULKARNI,
ADVOCATES FOR APPELLANT)

AND

K RAMAJANEYULU
S/O LATE K. P NAGAPPA
SINCE DECEASED BY HIS LRS

1 . J.K. PADMAVATHY W/O N.T.K. BABU,
D/O LATE K. RAMANJINEYULU,
R/O. SINDHIGI COMPOUND,
BEHIND MUBARAK TALKIES,
BELLARY DISTRICT.

2 . K.R. NARESH S/O K. RAMANJINEYULU
OCC. DOCTOR,
R/O. OLD SAI RAM LODGE,
RAJ RAM NAGAR, GATE, ARMOOR,
ANDHRA PRADESH.

3 . K R LAXMI W/O J V ARUN KUMAR
D/O LATE K RAMANJANEYULU,

R/O. ASHOKA SOAP INDUESTRY 10/1,
S.S. PURAM, TUMKUR DISTRICT.

4 . PURUSHOTTAM BASAPPA GAJENDRAGAD
S/O BASAPPA, AGE. 65 YEARS,
OCC. SERVICE, R/O. RAMDEV GALLI,
RTD SUPERINTENDENT,
CENTRAL JAIL BELLARY,
NOW R/O. NO. 4,
KARNATAKA HOUSING BOARD,
COLONY BELAGAL CROSS,
COWL BAZAR BELLARI.

N. MURGENDRAPPA
S/O LATE N. MURIGAPPA
SINCE DECEASED BY HIS
LEGAL REPRESENTATIVES.

5 . JAYANNA S/O MURUGENDRAPPA
R/O. BALLRI

6 . DAYANAND S/O MURUGENDRAPPA
R/O. BALLARI

7 . KOTRESH S/O MURUGENDRAPPA
R/O. BALLARI.

8 . RAVI S/O MURUGENDRAPPA
R/O. BALLARI

9 . SMT MANJULA W/O MURUGENDRAPPA
R/O. BALLARI

10 . SMT VIDYA D/O MURAGENDRAPPA
R/O. BALLARI

11 . V. MALLIKARJUNA S/O YELLAPPA
AGE. 40 YEARS, OCC. ADVOCATE,
R/O. ALLIPUR BALLARI.

12 . SMT SWAYAMPRABHA
W/O LATE K. RAMANJINEYULU
R/O. NO. 5, KHB COLONY, BELAGAL CROSS,
COWL BAZAAR, BELLARY.

...RESPONDENTS

RSA FILED UNDER SECTION 100 OF CPC, PRAYING TO,

A. CALL FOR THE RECORDS.

B. SET AIDE THE JUDGMENT AND DECREE DATED 12.01.2023 IN REGULAR APPEAL NO. 12/2015 ON THE FILE OF THE I ADDITIONAL DISTRICT AND SESSIONS JUDGE, BALLARI IN REVERSING THE JUDGMENT AND DECREE DATED 02.01.2015 IN O.S. NO. 10/1998 ON THE FILE OF THE I ADDITIONAL SENIOR CIVIL JUDGE, AT BELLARY AND ALLOW THE APPEAL WITH COST IN THE INTEREST OF JUSTICE AND EQUITY.

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

O R D E R

"Learned counsel for the appellants seeks for further time to comply with the office objections.

It is forthcoming that, this Court vide order dated 25.03.2024 granted six weeks time failing which, the appeal would stands dismissed.

Having regard to the Order dated 25.03.2024, the appeal is required to be dismissed. However, in view of the plea made by the learned counsel for the appellants, a week time is granted subject to the appellant paying cost of Rs.1,000/- to the Advocates' Library Fund, High Court of Karnataka, Dharwad Bench, Dharwad, making it clear that, if cost is not paid and the office

objections are not complied within one week, the above appeal shall automatically stands dismissed without further reference to the Bench. ”

SD/-
JUDGE

//COPY//

Note:- As per endorsement made in the order sheet dated 14.08.2024. Counsel for the appellant has not complied with the office objections at Sl. No. 1 to 12 and has not filed the memo a/w cost paid receipt. Hence, this RSA No. 100612/2023 stands dismissed without further reference to the Bench as per the Court Order dated 25.06.2024.

SD/-
ASSISTANT REGISTRAR.

R- By:-jm
C- By:-rv
T- By: - cnb