IN THE HIGH COURT OF KARNATAKA,

DHARWAD BENCH

DATED THIS THE 9TH DAY OF DECEMBER, 2024

BEFORE

THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

REGULAR FIRST APPEAL NO. 100374 OF 2020 (PAR-)

BETWEEN:

SRI. GURURAJ @ GURUDEV
S/O. GURUSANGAPPA HURAKADLI,
AGE: 45 YEARS,
OCC: BUSINESS,
R/O: KESHWAPUR,
HUBBALLI.

...APPELLANT

(BY SRI. GURURAJ - UNREPRESENTED)

AND:

1. JAYANTILAL S/O. VIMALACHAND TELISARA
(SINCE DECEASED BY HIS LEGAL HEIRS)

SMT. RAJUL W/O. JAYANTILAL TELISARA,
AGE: 50 YEARS,
OCC: HOUSEHOLD WORK,
R/O: SHIVAGANGA LAYOUT,
KESHWAPUR, HUBBALLI.

2. NISHA W/O. ASHIS MEHTA,
AGE: 37 YEARS,
OCC: HOUSEHOLD,
R/O: SHIVAGANGA LAYOUT,
KESHWAPUR, HUBBALLI.

3. NEHA W/O. PRATHAM MEHTA,
AGE: 34 YEARS,
OCC: HOUSEHOLD,
R/O: SHIVAGANGA LAYOUT,
KESHWAPUR, HUBBALLI.

4. MEHUL A/F JAYANTILAL TELISARA,
AGE: 26 YEARS,

ASHPAK KASHIMSA MALAGALADINNI

Location: HIGH COURT OF KARNATAKA

OCC: BUSINESS,
R/O: SHIVAGANGA LAYOUT,
KESHWAPUR, HUBBALLI.

5. SMT. PATASHIBAI
W/O. VIMALCHAND TELISARA,
AGE: 79 YEARS,
OCC: BUSINESS,
R/O: SHIVAGANGA LAYOUT,
KESHWAPUR, HUBBALLI.

6. DILIP S/O. VIMALACHAND TELISARA,
AGE: 56 YEARS,
OCC: BUSINESS,
R/O: SHIVAGANGA LAYOUT,
KESHWAPUR, HUBBALLI.

7. SMT. NEETHA
W/O. LATE MANOJ VIMALACHAND TELISARA
AGE: 49 YEARS,
OCC: HOUSEHOLD WORK,
R/O: SHIVAGANGA LAYOUT,
KESHWAPUR, HUBBALLI.

8. SMT. NIDHI
D/O. LATE MANOJ VIMALACHAND TELISARA,
AGE: 21 YEARS,
R/O: SHIVAGANGA LAYOUT,
KESHWAPUR, HUBBALLI.

9. RISHAB
S/O. LATE MANOJ VIMALCHAND TELISARA,
AGE: 19 YEARS,
R/O: SHIVAGANGA LAYOUT,
KESHWAPUR, HUBBALLI.

SINCE MINOR REPRESENTED BY HER
NATURAL MOTHER GUARDIAN
RESPT. NO.7
NEETHA M. TELISARA

10. SMT. RAJUL
W/O. JAYANTILAL TELISARA,
AGE: 55 YEARS,
OCC: HOUSEHOLD WORK,
R/O: SHIVAGANGA LAYOUT,

KESHWAPUR, HUBBALLI.

11. SMT.SHOBHA W/O. DILIP TELISARA,
AGE: 51 YEARS,
OCC: HOUSEHOLD WORK,
R/O: SHIVAGANGA LAYOUT,
KESHWAPUR, HUBBALLI.

12. SRI.CHANNABASAPPA @ CHAMBANNA
S/O. LATE GURUSANGAPPA HURAKADLI,
AGE: 69 YEARS,
OCC: BUSINESS,
R/O: DESHAPANDENAGAR,
HUBBALLI.

13. SRI. BASAVARAJ @ RAJU
S/O. LATE GURUSANGAPPA HURAKADLI,
AGE: 67 YEARS,
OCC: BUSINESS,
R/O: DESHAPANDENAGAR,
HUBBALLI.

14. SMT. LALITAWWA @ LALITAKKA
W/O. MURIGEPPA HURAKADLI,
AGE: 69 YEARS,
OCC: HOUSEHOLD,
R/O: SADGURU KRUPA,
PLOT NO.31,
ANANDNAGAR,
OLD-HUBBALLI,
HUBBALLI.

15. KUMAR
S/O. MURAGAPPA HURAKADLI,
AGE: 37 YEARS,
OCC: BUSINESS,
R/O: SADGURU KRUPA,
PLOT NO.31,
ANANDNAGAR,
OLD-HUBBALLI,
HUBBALLI.

16. SMT. NAVADITA
W/O. IRANNA NIJAGULI,
AGE: 41 YEARS,
OCC: HOUSEHOLD,

R/O: H.NO.31,
NAVIPETH, RAMDURG,
DIST: BELAGAVI.

17. SMT. SUSHILAVVA @ SHUSHILAKKA
W/O. DAYANAND HURAKADLI,
AGE: 79 YEARS,
OCC: HOUSEHOLD,
R/O: M.G. MARKET,
HUBBALLI.

18. SMT. MANJULA
W/O. BASAVARAJ MANDAKKI,
AGE: 54 YEARS,
OCC: HOUSEHOLD,
R/O: BAIRASANDARA,
BENGALURU.

19. SURESH
S/O. DAYANAND HURAKADLI,
AGE: 51 YEARS,
OCC: BUSINESS,
R/O: SETTLEMENT,
HUBBALLI.

20. SANGANNA
S/O. LATE GURUSANGAPPA HURAKADLI
AGE: 60 YEARS,
OCC: BUSINESS,
R/O: DESHPANDENAGAR,
HUBBALLI.

21. SMT. SHARADA
W/O. ANDANESH CHAVADI,
AGE: 81 YEARS,
OCC: HOUSEHOLD,
R/O: BASAVESHWARANAGAR,
HUBBALLI.

22. SMT.SHIVALINGAVVA @ SUMAN
W/O. BABAN KANKANAWADI,
AGE: 69 YEARS,
OCC: HOUSEHOLD,
R/O: SANKESHWAR,
DIST: BELAGAVI.

23. SMT. AKKAMAHADEVI
W/O. BASAVARAJ MANDAKKI,
AGE: 61 YEARS,
OCC: HOUSEHOLD,
R/O: SHIVAMOGGA,
DIST: SHIVAMOGGA.

24. SMT. SHOBHA
W/O. LATE MANJUNATH HURAKADLI,
AGE: 63 YEARS,
OCC: HOUSEHOLD,
R/O: DESHPANDE NAGAR,
HUBBALLI.

25. SANDEEP
S/O. LATE MANJUNATH HURAKADLI,
AGE: 36 YEARS,
OCC: BUSINESS,
R/O: DESHPANDENAGAR,
HUBBALLI.

26. MISS. RESHMA
D/O. LATE MANJUNATH HURAKADLI,
AGE: 34 YEARS,
OCC: HOUSEHOLD,
R/O: DESHPANDENAGAR,
HUBBALLI.

27. SMT. SUNITA
W/O. LATE SHANKAR HURKADLI
AGE: 57 YEARS,
OCC: HOUSEHOLD,
R/O: VIDYANAGAR,
HUBBALLI.

…RESPONDENTS

(BY SRI. Y.R.JOGI, ADVOCATE FOR R-18;
R11, R12, R14, R15, R16, R20, R24, R25 AND R26 ARE SERVED BUT UNREPRESENTED)

THIS RFA FILED UNDER SEC. 96 OF CPC., 1908, PRAYING TO SET ASIDE THE JUDGMENT AND DECREE DATED 23.10.2019 PASSED IN FDP NO. 27/2013 ON THE FILE OF THE II ADDL. SENIOR CIVIL JUDGE, HUBBALLI, AND DISMISS THE SUIT FILED BY THE PLAINTIFF IN THE INTEREST OF JUSTICE.

THIS APPEAL COMING ON FOR ORDERS THIS DAY, THE COURT DELIVERED THE FOLLOWING:

CORAM: THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

ORAL JUDGMENT

Learned counsel for the appellant is permitted to retire from the case. The name of appellant is shown in the cause list. There is no representation.

Hence, appeal is dismissed for non-prosecution.

Sd/-
(ANANT RAMANATH HEGDE)
JUDGE

AM
CT:ANB
List No.: 1 Sl No.: 28