IN THE HIGH COURT OF KARNATAKA, DHARWAD BENCH

DATED THIS THE 25TH DAY OF NOVEMBER, 2024

PRESENT
THE HON'BLE MR. JUSTICE SREENIVAS HARISH KUMAR
AND
THE HON'BLE MR. JUSTICE T. G. SHIVASHANKARE GOWDA

REGULAR FIRST APPEAL NO.100218 OF 2018 (SP)
C/W
REGULAR FIRST APPEAL NO.100213 OF 2018 (DEC/INJ)
REGULAR FIRST APPEAL NO.100214 OF 2018 (DEC/INJ)

IN RFA NO.100218 OF 2018:

BETWEEN:

ROOPALEPPA S/O BHIMAPPA LAMANI
AGE: 57 YEARS, OCC: AGRICULTURE,
R/O: DADIBHAVI TANDA,
TQ: RAMDURG, DIST: BELAGAVI-591123.

…APPELLANT

(BY SRI M.H. PATIL, ADVOCATE - ABSENT.)

AND:

1. SMT. VASUDA @ VASUNDHARA W/O VASANT JOSHI
   AGE: 58 YEARS, OCC: HOUSEHOLD WORK,
   R/O: TRIMURTHI APARTMENT, MAHARSHI ROAD,
   TILAKWADI, BELAGAVI-590006.

MANJANNA E.
Digitally signed by MANJANNA E.
Location: High Court of Karnataka, Dharwad Bench
Date: 2024.12.04 10:04:40 +0530

2. SRI FAKIRAPPA S/O HUCAHAPPA SAJJAN
   AGE: 54 YEARS, OCC: AGRICULTURE,
   R/O: NAVIPETH RAMDURG,
   TQ: RAMDURG, DIST: BELAGAVI-591123.

3. SRI ASHOK S/O HUCAHAPPA SAJJAN
   AGE: 52 YEARS, OCC: AGRICULTURE,
   R/O: NAVIPETH RAMDURG, TQ: RAMDURG,
   DIST: BELAGAVI-591123.

…RESPONDENTS

(BY SRI A.D. SHILEDAR, ADV. AND
SRI SANTOSH B. RAWOOT, ADV. FOR RESPONDENTS 2 & 3;
NOTICE TO RESPONDENT NO.1 IS SERVED)

THIS RFA IS FILED UNDER SECTION 96 OF CPC., PRAYING TO, SET ASIDE THE JUDGMENT AND DECREE PASSED ON 09.03.2018 BY

SENIOR CIVIL JUDGE RAMDURG AT RAMDURG IN OS NO.17/2012 BY DECREEING THE SUIT OF THE PLAINTIFF AS PRAYED FOR BY ALLOWING THIS APPEAL IN THE ENDS OF JUSTICE AND EQUITY.

IN RFA NO.100213 OF 2018

BETWEEN:

1. SRI MALLAPPA PAWADEPPA KARADIGUDD
   AGE: 76 YEARS, OCC: AGRICULTURE,
   R/O. OBALAPUR, TAL: RAMDURG, DIST: BELAGAVI.

2. SRI BASAPPA PAWADEPPA KARADIGUDDI
   AGE: 51 YEARS, OCC: AGRICULTURE,
   R/O. OBALAPUR, TAL: RAMDURG, DIST: BELAGAVI.

…APPELLANTS

(BY SRI M.H. PATIL, ADVOCATE - ABSENT.)

AND:

1. SMT. VASUDHA W/O. VASANT JOSHI
   AGE: 61 YEARS, OCC: AGRICULTURE,
   R/O. C/O. SHRI V.B. JOSHI, PLOT NO. ¾,
   TRIMURTHI APARTMENT, MAHARSHI ROAD,
   TILAKWADI, BELAGAVI.

2. SRI FAKIRAPPA S/O. HUCAHAPPA SAJJAN
   AGE: 54 YEARS, OCC: AGRICULTURE,
   R/O. NAVIPETH, RAMDURG,
   TAL: RAMDURG, DIST: BELAGAVI.

3. SRI ASHOK S/O. HUCAHAPPA SAJJAN
   AGE: 48 YEARS, OCC: AGRICULTURE,
   R/O. NAVIPETH, RAMDURG,
   TAL: RAMDURG, DIST: BELAGAVI.

…RESPONDENTS

(BY SRI SHIVARAJ S. BALLOLI, ADV. FOR RESPONDENTS 2 & 3;
NOTICE TO RESPONDENT NO.1 IS SERVED)

THIS RFA IS FILED UNDER SEC. 96 R/W UNDER ORDER XLI RULE 1 OF CPC., PRAYING TO, JUDGMENT AND DECREE PASSED BY THE SENIOR CIVIL JUDGE RAMDURG IN OS NO.6/2012 DATED 09.03.2018 MAY KINDLY BE SET ASIDE THE SUIT OF THE PLAINTIFF MAY KINDLY BE DECREED BY HOLDING THAT THE PLAINTIFFS HAVE PERFECTED THEIR TITLE OVER THE SUIT PROPERTY AGAINST THE DEFENDANTS NO.1 AND THEIR PREDECESSORS IN TITLE IN THE INTEREST OF JUSTICE.

IN RFA NO.100214 OF 2018

BETWEEN:

1. SRI SANNATAMAPPA PAWADEPPA KARADIGUDD
AGE: 65 YEARS, OCC: AGRICULTURE,
R/O. OBALAPUR, TAL: RAMDURG, DIST: BELAGAVI.

2. SMT. LAKSHAMAPPA MALLAPPA KARADIGUDD
SINCE DECEASED BY HIS LR'S.

2.A SMT. GANGAWWA WD/O. LAKSHAMAPPA KARADIGUDD,
AGE: 65 YEARS, OCC: AGRICULTURE,
R/O. OBALAPUR, TAL: RAMDURG, DIST: BELAGAVI.

2.B SRI HANMANT S/O. LAKSHMAPPA KARADIGUDD
AGE: 44 YEARS, OCC: AGRICULTURE,
R/O. OBALAPUR, TAL: RAMDURG, DIST: BELAGAVI.

…APPELLANTS

(BY SRI. M.H. PATIL, ADVOCATE - ABSENT)

AND:

1. SMT. VASUDHA W/O. VASANT JOSHI
AGE: 61 YEARS. OCC: AGRICULTURE,
R/O. C/O. SHRI V.B. JOSHI, PLOT NO. ¾,
TRIMURTHI APARTMENT, MAHARSHI ROAD,
TILAKWADI, BELAGAVI.

2. SRI ASHOK S/O. HUCAHAPPA SAJJAN
AGE: 48 YEARS, OCC: AGRICULTURE,
R/O. NAVIPETH, RAMDURG,
TAL: RAMDURG, DIST: BELAGAVI.

…RESPONDENTS

(BY SRI A.D. SHILLEDAR, ADV. AND
SRI SANTOSH B. RAWOOT, ADV. FOR RESPONDENT NO.2;
NOTICE TO RESPONDENT NO.1 IS SERVED)

THIS RFA IS FILED UNDER SECTION 96 R/W UNDER ORDER XLI RULE 1 OF CPC., PRAYING TO, JUDGMENT AND DECREE PASSED BY THE SENIOR CIVIL JUDGE RAMDURG IN OS NO.5/2012 DATED 09.03.2018 MAY KINDLY BE SET ASIDE THE SUIT OF THE PLAINTIFF MAY KINDLY BE DECREED BY HOLDING THAT THE PLAINTIFFS HAVE PERFECTED THEIR TITLE OVER THE SUIT PROPERTY AGAINST THE DEFENDANTS NO.1 AND THEIR PREDECESSORS IN TITLE IN THE INTEREST OF JUSTICE.

THESE APPEALS, COMING ON FOR FINAL HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: THE HON'BLE MR. JUSTICE SREENIVAS HARISH KUMAR
AND
THE HON'BLE MR. JUSTICE T. G. SHIVASHANKARE GOWDA

ORAL ORDER

(PER: THE HON'BLE MR. JUSTICE SREENIVAS HARISH KUMAR)

Order sheet dated 23.11.2024 shows that appellants' counsel was absent and respondents' counsel was present. Today also appellants' counsel is absent and respondents' counsel is present. Since appeals are not prosecuting, all the three appeals are dismissed for non prosecution.

Sd/-
(SREENIVAS HARISH KUMAR)
JUDGE

Sd/-
(T. G. SHIVASHANKARE GOWDA)
JUDGE

EM
List No.: 1 Sl No.: 31