IN THE HIGH COURT OF KARNATAKA,

DHARWAD BENCH, DHARWAD

DATED THIS 2ND DAY OF APRIL, 2024

BEFORE

HON'BLE MR. JUSTICE HANCHATE SANJEEVKUMAR

RSA NO. 101405 OF 2022

BETWEEN:

DATTATRAYA S/O. NARASIMHA HEGDE
AGED 71 YEARS, OCC. AGRICULTURE,
R/O. ALMANE, TQ. SIRSI,
DIST. UTTARA KANNADA-581340

...APPELLANT

(BY SRI. VISHWANATH HEGDE AND TANUJA HEGDE, ADVOCATES FOR APPELLANT)

AND

GAJANAN S/O NARASIMHA HEGDE
SINCE DECEASED BY LRS

1 . SMT. SHARADA GAJANAN HEGDE
AGED 65 YEARS, OCC. HOUSE HOLD,
R/O. DR. G. N. HEGDE, MAIN ROAD, YELLAPUR,
DIST. UTTARA KANNADA-581359

2 . SUCHETA D/O. G. N. HEGDE
AGED 46 YEARS, OCC. HOUSE HOLD,
R/O. DR. G. N. HEGDE, MAIN ROAD, YELLAPUR,
DIST. UTTARA KANNADA-581359

3 . SANJAY S/O. GAJANAN HEGDE
AGED 42 YEARS, OCC. MEDICAL PRACTITIONER,
R/O. DR. G. N. HEGDE, MAIN ROAD, YELLAPUR,
DIST. UTTARA KANNADA-581359

DIVAKAR S/O. NARASIMHA HEGDE
DECEASED BY LRS

4 . YAMUNA W/O. DIVAKAR HEGDE
AGED 66 YEARS, OCC. HOUSEHOLD,
R/O. HALASINAHALLI, PO. URTOT,
TQ. SIRSI, DIST. UTTARA KANNADA-581450

5 . SANDYA W/O. SHANKARANARAYAN HEGDE
AGED 46 YEARS, OCC. HOUSE HOLD,
R/O. HOSAKOPPA, PO. HARSHIKATTA,
TQ. SIDDAPUR, DIST. UTTARA KANNADA-581355

6 . SADHANA W/O. ASHOK HEGDE
AGED 44 YEARS, OCC. HOUSE HOLD,
R/O. JANMANE (SAMBAYYANA KUMBRI)
AMMINAHALLI, TQ. SIRSI,
DIST. UTTARA KANNADA-581450

7 . GANGADHAR S/O. NARASIMHA HEGDE
AGED 64 YEARS, OCC. AGRICULTURE,
R/O. HALASINAHALLI, TQ. SIRSI,
DIST. UTTARA KANNADA-581450

8 . SHALINI W/O. RAMACHANDRA HEGDE
AGED 71 YEARS, OCC. AGRICULTURE,
R/O. HANUMANTHI, TQ. SIRSI,
DIST. UTTARA KANNADA-581403

9 . GANGA W/O. VENKATRAMAN HEGDE
AGED 63 YEARS, OCC. AGRICULTURE,
R/O. BALEKOPPA, MAVINAKATTA,
TQ: YELLAPUR
DIST. UTTARA KANNADA-581347

10 . YESHODA W/O. MANJUNATH HEGDE
AGED 60 YEARS, OCC. HOUSEWIFE,
R/O. SIRSIMAKKI, TQ. SIRSI,
DIST. UTTARA KANNADA-581403

...RESPONDENTS

RSA FILED UNDER SECTION 100 OF CPC, PRAYING TO;

A. SECURE THE RECORDS IN F.D.P. NO. 3/2006 ON THE FILE OF SENIOR CIVIL JUDGE SIRSI AND R.A. NO. 5013/2019 ON THE FILE OF I ADDL. DISTRICT AND SESSIONS JUDGE SITTING AT SIRSI.

B. SET ASIDE THE JUDGMENT AND DECREE DATED 25.01.2021 PASSED IN R.A. NO. 5013/2019 BY I ADDL. DISTRICT AND SESSIONS JUDGE SITTING AT SIRSI AND CONSEQUENTLY THE ORDER PASSED IN FDP NO. 3/2006 DATED 08.02.2019 BY SENIOR CIVIL JUDGE SIRSI BE MODIFIED IN THE INTEREST OF JUSTICE.

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

O R D E R

Five weeks time is granted for compliance of office objections, failing which the appeal stands dismissed without reference to the Court.

SD/-
JUDGE

Note:- As per endorsement made in the order sheet dated 10.07.2024. Counsels for the appellant have not complied with the office objections at Sl. No. 1 to 7 Hence, this RSA No. 101405/2022 stands dismissed without reference to the Court as per the Court Order dated 02.04.2024.

BY ORDER OF THE COURT

SD/-
ASSISTANT REGISTRAR.

R- By:-
C- By:-vk
T- By: -cnb