IN THE HIGH COURT OF KARNATAKA,

DHARWAD BENCH, DHARWAD

DATED THIS 12th DAY OF JUNE, 2024

BEFORE

HON'BLE MR. JUSTICE C M POONACHA

RSA NO 100843/2023 (MON)

BETWEEN:

1 BABA ENTERPRISES SHOP
NO.6 BLUE STAR COMPLEX NEELIGIN
REPRESENTED BY ITS PROPRIETOR,
SRI. SANKAPPA S/O BASAPPA ATHANI
AGE 71 YEARS,
OCC BUSINESS
R/O RAJAJI NAGAR
HUBLI 580029

... APPELLANTS

(By Sri. M B KANAVI), ADVOCATE FOR APPEALLANT)

AND

1 ASHWIN SALES CORPORATION
SHOP NO. 12, MADIMAN COMPLEX
NEELIGIN ROAD ,HUBLI
A PARTNERSHIP FIRM
REPRESENTED BY ITS PARTNER
SHRI AMIT S/O GOUTAM
BETALA, AGE MAJOR
OCC BUSINESS
R/O HUBLI – 580029

2 SMT. G. DEVAKI
AGE MAJOR OCC CONTRACTOR
R/O II FLOOR BLUE STAR
COMPLEX NEELIGIN ROAD,
HUBLI 580029

3 SRI. IMTIYAZ M MULLA
AGE MAJOR
OCC CONTRACTOR
R/O 797, DESHPANDE
GALLI NEAR MABOOSUBHANI
DARGE, KUNDGOL 581113

...RESPONDENTS

RSA FILED UNDER SECTION 100 OF CPC, PRAYING TO,

A. CALL FOR RECORDS.

B. SET-ASIDE THE JUDGMENT AND DECREE DATED 17.02.2023 IN R.A.NO. 27/2014 PASSED BY THE I ADDITIONAL DISTRICT AND SESSION JUDGE DHARWAD SITTING AT HUBBALLI AND CONFIRM THE JUDGMENT AND DECREE DATED 21.12.2013 IN O.S.NO. 132/2009 BY II ADDL. SR. CIVIL JUDGE, HUBBALLI ALLOWING THE SUIT OF THE PLAINTIFF IN THE INTEREST OF JUSTICE AND EQUITY.

II. PASS SUCH OTHER SUITABLE ORDERS AS THIS HONBLE COURT DEEMS FIT THE FACTS AND CIRCUMSTANCES OF THE CASE.

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

O R D E R

Although the order dated 20.03.2024 states that failure to comply with the office objections within the time stipulated will results in the dismissal of the appeal, in view of the fervent plea made by the learned counsel for the appellants, a week's time is granted to comply with the office objections, subject to payment of cost Rs.1,000/- to the Advocate's 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 with within one week, the above appeal shall automatically stand dismissed without further orders from this Court.

SD/-
JUDGE

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Note:- As per endorsement made in the order sheet dated 12/08/2024. Advocate for the appellant has not complied with the office objections at SI No. 2 and 8 and has filed the memo a/w cost receipt. Hence, this RSA No. 100843/2023 stands dismissed without reference to the Court as per the Court Order dated 12.06.2024.

SD/-
ASSISTANT REGISTRAR.

R- By:-
C- By:-lj
T- By: -psl