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 100940/2019

BETWEEN:

1 . SRI.VEERABHADRAYYA S/O NINGAYYA
MATHAPATI
AGE: 71 YEARS,
OCC: AGRICULTURIST,
R/O: SAVANUR,
BHUDAVARPETH,
TQ: SAVANUR,
DIST: HAVERI-581118.

... APPELLANT

(By Sri. : VIDYASHANKAR.G.DALWAI, ADVOCATE FOR APPEALLANT)

AND

1 . GADIGEYYA S/O MARUDRAYYA MATHAPATI
AGE: 57 YEARS,
OCC: COOLIE,
R/O: SAVANUR,
BHUDAVARPETH,
TQ: SAVANUR,
DIST: HAVERI-581118.

2. CHANNAVEERAYYA S/O MAHARUDRAYYA MATHAPATI
SINCE DEAD REPRESENTED BY HIS LRS,

2(a) SMT.KAMALAVVA
W/O CHANNAVEERAYYA MATHAPATI,
AGE: 54 YEARS,
OCC: HOUSEWIFE,
R/O: SAVANUR,
BHUDAVARPETH,
TQ: SAVANUR,
DIST: HAVERI-581118.

3. SRI.MAHARUDRAYYA @ APPY
S/O CHANNAVEERAYYA MATHAPATI,
AGE: 34 YEARS,
OCC: PAINTER,
R/O: SAVANUR,
BHUDAVARPETH,
TQ: SAVANUR,
DIST: HAVERI-581118.

4. SRI.MANJUNATH
S/O CHANNAVEERAYYA MATHAPATI,
AGE: 34 YEARS,
OCC: PAINTER,
R/O: SAVANUR,
BHUDAVARPETH,
TQ: SAVANUR,
DIST: HAVERI-581118.

...RESPONDENTS

RSA FILED UNDER SECTION 100 OF CPC, AGAINST THE JUDGEMENT and DECREE DATED 20.12.2018 PASSED IN R.A.NO.58/2017 (OLD RA NO.57/2017) ON THE FILE OF THE SENIOR CIVIL JUDGE AND JUDICIAL MAGISTRATE FIRST CLASS, SHIGGAON, DISMISSING THE APPEAL AND CONFIRMING THE JUDGMENT AND DECREE DTD 12.06.2017, PASSED IN O.S.NO. 286/2012 ON THE FILE OF THE CIVIL JUDGE AND JUDICIAL MAGISTRATE FIRST CLASS, SAVANUR, SITTING AT SHIGGAON, DISMISSING THE SUIT FILED FOR PERPETUAL INJUNCTION.

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 four 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 counsel for the appellants a week time is granted subject to the appellant paying cost of Rs.1,000/- to the Advocate Library Fund, High Court of Karnataka, Dharwad Bench, Dharwad, making it clear that, if the 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 25/09/2024. Advocate for the appellant has not complied with the office objections at sl.no. 1,2,6 to 12 and has not filed the memo a/w cost paid receipt. Hence, this RSA No. 100940/2019 stands dismissed without further reference to the Bench as per the Court Order dated 25.06.2024.

SD/-
ASSISTANT REGISTRAR.

R- By:-
C- By:-rv
T- By: -psl