IN THE HIGH COURT OF KARNATAKA,

DHARWAD BENCH, DHARWAD

DATED THIS 08th DAY OF JULY, 2024

BEFORE

HON'BLE MR. JUSTICE C M POONACHA

RSA NO 101020/2019 (PAR/POS)

BETWEEN:

1 GOWDRA SANNA VEERAPPA S/O. GOWDRA GARALAIAH

2 GOWDRA LAKSHMIPATHY S/O. GOWDRA GARALAIAH,

3 KUM. SHANKARAMMA D/O. GOWDRA GARALAIAH

4 KUM. SANNA BORAMMA D/O. GOWDRA GARALAIAH
ALL ARE MAJORS, OCC:AGRICULTURIST

R/O. MORABANAHALLI VILLAGE,
KUDLIGI TALUKA, DIST:BALLARI.

SMT. OBAKKA D/O. GOWDRA GARALAIAH
W/O. NINGAPPA SINCE DEAD BY LRS.

5 B. NINGAPPA S/O. PAPAIAH
AGED ABOUT 75 YEARS

6 B. MALLYAPPA S/O. B. NINGAPPA
AGED ABOUT 42 YEARS

7 B. VIJAYA S/O. B. NINGAPPA
AGED ABOUT 36 YEARS

8 SMT. GANGAMMA D/O. GOWDRA GARALAIAH,
MAJOR,

9 SMT. DODDA BORAMMA D/O. GOWDRA GARALAIAH
AGE:50 YEARS,
W/O. BELDAR HANUMANATHAPPA
R/O. MORABANAHALLI VILLAGE,
KUDLIGI TALUKA, DIST: BALLARI.

... APPELLANTS

(By Sri. T HANUMAREDDY, ADVOCATE FOR APPEALLANT)

AND

GOWDRA PAMPAPATHI S/O GOWDRA BASAIAH
SINCE DECEASED BY HIS LRS

1 1A. SMT. BORAMMA W/O LATE
GOWDRA PAMPAPATHI
AGE: 50 YEARS,

2 1B. GOWDRA KRISHAN W/O LATE
GOWDRA PAMPAPATHI AGE: 34 YEARS

3 1C. GOWDRA MAHADEVA W/O LATE
GOWDRA PAMPAPATHI AGE: 30 YRS
ALL ARE AGRICULTURITST
R/O MORABANAHALLI VILLAGE,
KUDLIGI TALUKA, DIST: BALLARI

4 1D. SMT AKKAMMA D/O LATE
GOWDRA PAMPAPATHI AGE: 25 YEARS
ODD: AGRICULTURE, R/O
YERRANAHALLI VILLAGE SONDUR
TALUK, DIST – BALLARI

V. G. VEERAPPA SINCE DECEASED BY HIS LRS

5 SMT. G NAGAMMA W/O LATE
V.G. VEERAPPA AGE: 40 YEARS,
R/O MORABANAHALLI PRESENT

R/O OPP: COURT KUDLIGI

6 KUMARI BASANTI
D/O LATE V.G. VEERAPPA
AGE: 13 YEARS, STUDENT
SINCE MINOR R/BY HER MOTHER
PLAINTIFF NO. 2A

7 KUMAR G.V. NANDISH
S/O LATE V.G. VEERAPPA
AGE: 14 YEARS, STUDENT
SINCE MINOR R/BY HER MOTHER
PLAINTIFF NO.2A

8 KUMARI G.V. KAVYA D/O LATE V.G. VEERAPPA
AGE: 11 YEARS, STUDENT
SINCE MINOR R/BY HER MOTHER
PLAINTIFF NO.2A

9 GOWDRA GADIRAPPA S/O. GOWDRA BASAIAH

10 SMT. DURUGAMA W/O. NAGENDRAPPA

11 KUM. NINGAMMA D/O. NAGENDRAPPA

12 PAMPAPATHI S/O NAGENDRAPPA
AGE: 15 YEARS, RRESPONDENT
NO,1 TO 4 ARE AGRICULTURIST
R/2(A) TO 2(C) LRS OF
PLAINTIFF NO.2 ALL ARE
R/O MORABANHALLI KUDLIGI
TALUKA BALLARI DISTRICT
R6 AND 7 ARE MINORS R/BY
NATURAL MOTHER SMT.
DURGAMMA W/O MAGENDRAPPA
PLAINTIFF NO.4 AS GUARDIAN

13 SMT. PALAMMA D/O GOWDRA BASAIAH
W/O MOOKABASAPPA

R/O HARKABHAVI VILLAGE

14 SMT. KENGAMMA D/O GOWDRA BASAIASH
W/O J. BASAPPA R/O
GANGAMMANAHALLI VILLAGE

15 SMT. OBAMMA D/O GOWDRA BASAIAHA
W/O B. MARAPPA R/O SOOLADAHALLI

16 SMT. REVAMMA D/O GOWDRA BASAIAHA
W/O PALAIAH R/O BEERALAGUDDA
VILLAGE ALL ARE MAJORS,
AGRICULTURIST R/O KUDLIGI
TALUKA, BALLARI DIST.

17 G. GADIRAPPA S/O. GOWDRA GADRAIAH

18 G. HANUMANTHAPPA S/O. GOWDRA GADRAIAH

SMT. ERAMMA D/O GOWDRA GADRAIAH
W/O CHOWDAPPA SINCE DEAD
BY LRS
SMT. OBAKKA D/O GOWDRA GADRAIAH
W/O OBALAPPA SINCE DEAD
BY LRS
19 OBALAPPA S/O CHOWDAPPA
AGE- 45 YEARS,

20 KUM. AKKAMAHADEVI
AGE: 11 YEARS,

21 KUM LAKSHMI D/O OBALAPPA
AGE - 08 YEARS

22 KARTHIK S/O OBALAPPA
AGE- 2 YEARS, ALL ARE
AGRICULTURISTS R/O
MORABANAHALLI VILLAGE KUDLIGI
TQ. BALLARI DISTRICT.
RESPONDENTS NO. 15(B) TO 15(D)
ARE MINORS R/BY THEIR FATHER
OBALAPPA S/O CHOWDAPPA
R/O MORABANAHALLI VILLAGE
KUDLIGI TQ. BALLARI
DISTRICT.

23 CHINNAPURAPPA S/O
OBAKKA AND OBALAPPA
AGE: 15 YEARS, HINDU STUDENT
R/O MORABANAHALLI VILLAGE
KUDLIGI TQ. BALLARI DISTRICT
R/O BY HIS GUARDIAN AND NEXT
FRIEND HIS FATHER OBALAPPA
S/O CHOWDAPPA R/O
MORABANAHALLI VILLAGE
KUDLIGI TQ. BALLARI DISTRICT

...RESPONDENTS

RSA FILED U/SEC.100 OF CPC, AGAINST THE JUDGEMENT AND DECREE DATED 19.2.2019 PASSED IN R.A.NO.5032/2014 (OLD NO.42/2011) ON THE FILE OF THE III ADDITIONAL DISTRICT AND SESSIONS JUDGE, BALLARI (SITTING AT HOSAPETE), DISMISSING THE APPEAL AND CONFIRMING THE JUDGMENT AND DECREE DTD 08.10.2010, PASSED IN O.S. NO.11/2003 ON THE FILE OF THE SENIOR CIVIL JUDGE, KUDLIGI, DECREEING THE SUIT FILED FOR PARTITION AND POSSESSION.

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

O R D E R

It is forthcoming from the order dated 19.03.2024 that four weeks time was granted to comply with the office objections, failing which the appeal would stand dismissed. Having regard to the said order, the appeal would be required to be dismissed.

However, in view of the plea made by the learned counsel for the appellant, one week time is granted to comply with the office objections, subject to payment of cost of Rs. 1,000/- to the Advocates Library Fund, High Court of Karnataka, Dharwad Bench, Dharwad making it clear that if the office objections are not complied and cost is not paid within one week, the above appeal shall automatically stand dismissed without further orders from the Court.

SD/-
JUDGE

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Note:- As per endorsement made in the order sheet dated 17/08/2024. Advocate for the appellant has not complied with the office objections at SI No. 1 to 21 and has not filed the cost memo a/w cost receipt. Hence, this RSA No. 101020/2019 stands dismissed without further orders from the Court as per the Order dated 08.07.2024.

SD/-
ASSISTANT REGISTRAR.

R- By:-
C- By:-jm
T- By: -psl