NC: 2025:KHC:3586
RFA No. 210 of 2024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF JANUARY, 2025

BEFORE

THE HON'BLE MS. JUSTICE JYOTI MULIMANI

REGULAR FIRST APPEAL NO. 210 OF 2024 (PAR)

BETWEEN:

1. SMT. JAYALAKSHMI,
   AGED ABOUT 63 YEARS,
   W/O PRABHURAJ,
   D/O LATE KRISHNAPPA.R.,
   RESIDING AT NO.131,
   OLD MADRAS ROAD,
   100 FEET ROAD, NEW BINNAMANGALA,
   INDIRANAGAR POST, BENGALURU-560 038.

2. SMT ANNIYAMMA
   AGED ABOUT 67 YEARS,
   W/O NARAYANAPPA,

3. SRI SHEKAR
   AGED ABOUT 50 YEARS,
   S/O LATE KRISHNAPPA,

4. SRI ASHOK
   AGED ABOUT 48 YEARS,
   S/O LATE R.KRISHNAPPA,

5. SRI RAVI
   AGED ABOUT 46 YEARS,
   S/O LATE R.KRISHNAPPA,

   NO.2 TO 6 ARE RESIDING AT:
   RESIDING AT NO 3, 2ND MAIN ROAD,
   INDIRAGANDHI ROAD,

Digitally signed by PREMCHANDRA M R
Location: High Court of Karnataka

UDAYANAGAR,
BENGALURU-560 016.

...APPELLANTS

(BY SRI. THYAGARAJA.S., ADVOCATE [ABSENT])

AND:

1. SRI. MUNISWAMY,
S/O RAJGOPAL,
AGED ABOUT 69 YEARS,

2. SRI VASU
S/O RAJGOPAL,
AGED ABOUT 65 YEARS,

3. SRI VENKATESH
S/O RAJAGOPAL,
SINCE DECEASED,
REPRESENTED BY HIS LR'S,

3(a) SMT YASHODA
W/O LATE R VENKATESH @ VENKATESH YADAV,
MAJOR, RESIDING AT NO 18,
1ST FLOOR, NEW BINNAMANGALA,
1ST CROSS, 1ST MAIN,
OLD MADRAS ROAD,
INDIRANAGAR, BENGALURU-560 038.

3(b) SMT ANITHA
D/O LATE R.VENKATESH @ VENKATESH YADAV,
MAJOR,
RESIDING AT NO 18, 1ST FLOOR,
NEW BINNAMANGALA,
1ST CROSS, 1ST MAIN,
OLD MADRAS ROAD,
INDIRANAGAR,
BENGALURU-560 038.

4. SRI RAMACHANDRA
S/O RAJGOPAL,
AGED ABOUT 61 YEARS,
RESIDING AT NO 18, 1ST FLOOR,

1ST CROSS, 1ST MAIN,
OLD MADRAS ROAD,
INDIRANAGAR,
BENGALURU-560 038.

5. SRI UMA
W/O C.KANNA DASAN,
AGED ABOUT 53 YEARS,
RESIDING AT NO 18,
1ST FLOOR, NEW BINNAMANGALA,
1ST CROSS, 1ST MAIN,
OLD MADRAS ROAD,
INDIRANAGAR,
BENGALURU-560 038.

6. SRI KANNADASAN
S/O S.P.CHOKKALINGAM,
AGED ABOUT 58 YEARS,
RESIDING AT NO 18,
NEW BINNAMANGALA,
1ST CROSS, 1ST MAIN,
OLD MADRAS ROAD,
INDIRANAGAR,
BENGALURU-560 038.

7. SMT. INDRANI
W/O NARASIMAHAIAH,
SINCE SHE IS DEAD REPRESENTED
BY HER LEGAL HEIRS

7(a) SMT. MANJULA DEVI.N
D/O LATE NARASIMHAIAH AND LATE INDRANI,
AGED ABOUT 51 YEARS,

7(b) SMT N.SRIDEVI
D/O LATE NARASIMHAIAH AND LATE INDRANI,
AGED ABOUT 49 YEARS,

7(c) SRI JAYARAJA N
D/O LATE NARASIMHAIAH AND LATE INDRANI,
AGED ABOUT 47 YEARS,

7(d) SMT LEELAVATHI N
D/O LATE NARASIMHAIAH AND LATE INDRANI,
AGED ABOUT 43 YEARS,

7(e) SRI PADMANABHA N
D/O LATE NARASIMHAIAH AND LATE INDRANI
AGED ABOUT 40 YEARS,

ALL ARE R/AT VEERANJANEYANAGAR,
HAROHALLI, KOLAR-56 101.

…RESPONDENTS

THIS REGULAR FIRST APPEAL IS FILED UNDER SECTION 96 OF THE CPC, 1908.

THIS REGULAR FIRST APPEAL IS LISTED FOR ORDERS, THIS DAY, AN ORDER IS MADE AS UNDER:

ORAL ORDER

When the case is called, the appellants are not represented. When the case is listed and is called out, the advocate must be present. His absence may affect the case.

As could be seen from the daily order sheet, the appeal was listed before Registrar (P & H) on several dates and sufficient time was granted to comply with the office objections. Again the appeal was listed on 13.01.2025, on that day, finally two weeks time was granted to comply with the office objections, failing which the office was directed to list the

appeal under the caption 'for dismissal of appeal for non-compliance of office objections' on 27.01.2025.

The appeal is listed today under the caption 'for dismissal of appeal for non-compliance of office objections'. Despite granting sufficient time, the appellants have not complied with the office objections. It appears that the appellants are not interested in prosecuting the appeal. In view of peremptory order dated 13.01.2025, the appeal is ***dismissed*** for non-prosecution and also for non-compliance of office objections.

Sd/-
(JYOTI MULIMANI)
JUDGE

MRP,TKN
List No.: 1 Sl No.: 20