NC: 2025:KHC:2457
RFA No. 491 of 2023

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21ST DAY OF JANUARY, 2025

BEFORE

THE HON'BLE MS. JUSTICE JYOTI MULIMANI

REGULAR FIRST APPEAL NO. 491 OF 2023 (DEC)

BETWEEN:

SMT. SUSHILA SHARMA
SINCE DECEASED REPRESENTED BY HER LEGAL HEIR

MS. SUNITHA SHARMA,
D/O SANTHOSH SHARMA,
AGED ABOUT 38 YEARS,
R/AT GOLDEN ORCHID,
G-2, K BLOCK, LAVELLE ROAD,
BANGALORE-560 001.

...APPELLANT

(BY SMT. NIVEDITHA PRAKASH., ADVOCATE)

AND:

1. SRI. RAVI
S/O RAMGARAMAIAH,
AGED ABOUT 55 YEARS,
R/AT SRIGANDAKAVAL,
NEAR FAMILY HEALTH CENTRE,
SUNKADAKATTE,
BENGALURU-560 091.

2. SRI UMESH
SINCE DEAD BY HIS LR'S,

2(a) SMT K.V.PADMAVATHI,
W/O LATE UMESH,
AGED ABOUT 50 YEARS,

2(b) KUMARI NAVYA
D/O LATE UMESH,
AGED MAJOR,

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Location: High
Court of Karnataka

2(c) KUMAR BHUMIKA
D/O LATE UMESH,
AGED MAJOR,

2(d) KUMAR PANDURANGA GOWDA,
S/O LATE UMESH,
AGED MAJOR,
AGED ABOUT 22 YEARS,

NO.2(d) IS MINOR AND
HE IS REPRESENTED BY HIS MOTHER AND
NATURAL GUARDIAN, I.E.,
2(a) SMT. K.V.PADMAVATHI
2(a) TO 2(d) ARE RESIDING AT
NO.305, HEALTH LAYOUT,
SRIGANDAKAVAL, SUNKADAKATTE,
BENGALURU-560 091

3. THE BRANCH MANAGER,
VIJAYA BANK,
VIJAYANAGAR BRANCH,
BENGALURU-560 040.

4. RAJKUMAR SHARMA
AGED ABOUT 62 YEARS,
(WATCHMAN),
S/O RUKMANANDA SHARMA,
RESIDING AT NANDI PUNJABI DHABA,
CHIKKASONNEGATE (DHABAGATE),
DODDASONNE POST,
DEVANAHALLI TALUK,
BENGALURU RURAL DISTRICT.

…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

Counsel for the appellant has appeared in person and submits that short accommodation may be granted to comply with the office objections.

This Court is not inclined to grant time. The reason is simple. As could be seen from the daily order sheet, the appeal was listed before the Registrar (P & H) and also before the Court and time was granted to comply with the office objections. Thereafter, the appeal was listed on 07.01.2025, on that day, there was no representation on behalf of the appellant, either personally or through video conferencing. However, in the interest of justice, finally, a week's time was granted to comply with the office objections, failing which the appeal was ordered to be listed under the caption 'for dismissal of appeal for non-compliance of office objections' and also for appearance of counsel for the appellant on 21.01.2025.

The appeal is listed today under the caption 'for dismissal of appeal for non-compliance of office objections' and also for appearance of counsel for the appellant. Despite granting sufficient time, the office objections are not complied with. It

appears that the appellant is not interested in prosecuting the appeal. Hence, the Regular First Appeal is ***dismissed*** for non-compliance of office objections.

Sd/-
(JYOTI MULIMANI)
JUDGE

TKN
List No.: 1 Sl No.: 13