HC-KAR

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 26TH DAY OF JUNE, 2025

BEFORE

THE HON'BLE MS. JUSTICE JYOTI MULIMANI

REGULAR FIRST APPEAL NO. 986 OF 2018 (INJ)

BETWEEN:

SRI. M.NAGENDRA NAIDU
S/O. LATE MUNISWAMY NAIDU,
AGED ABOUT 78 YEARS,
R/AT NO.53, PIPE LINE ROAD,
NEXT TO MARYMATHA CHURCH,
VIJAYANAGAR, BENGALURU-560 040.

...APPELLANT

(BY SRI. VASANTH.V.NAIK &
SRI. PURUSHOTHAMA.C., ADVOCATE [ABSENT])

AND:

KUVEMPU APARTMENT OWNER'S ASSOCIATION,
NO.53, OLD NO.21/53, CHOLARAPALYA,
HOSAHALLI LAYOUT, KEMPAPURA AGRAHARA,
KUVEMPU CIRCLE, PIPE LINE ROAD,
BENGALURU-560 040,
REPRESENTED BY ITS SECRETARY,
SMT. GLORITA,
W/O. JOHN SAMUEL.

...RESPONDENT

Digitally signed by
PREMCHANDRA M R
Location: HIGH
COURT OF
KARNATAKA

THIS REGULAR FIRST APPEAL IS FILED UNDER SECTION 96 READ WITH ORDER XLI RULE 1 OF THE CPC.

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

ORAL ORDER

When the case is called, the appellant is not represented. When the case is listed and called out, the advocate must be present. The absence may affect the case.

As could be seen from the daily order sheet, the appeal was listed on 23.06.2025, on that day, there was no representation on behalf of the appellant. Hence, for appearance of counsel for the appellant, the appeal was ordered to be listed on 26.06.2025. It was also ordered that if none appears for the appellant on the next date of hearing, the appeal will be dismissed for non-prosecution.

The appeal is listed today. As already noted above, when the case is called, today also there is no representation on behalf of the appellant. In view of earlier peremptory order, the appeal is ***dismissed*** for non-prosecution.

Because of dismissal of the appeal, interim order granted if any stands discharged and pending interlocutory applications if any are disposed of.

Sd/-
(JYOTI MULIMANI)
JUDGE

TKN
List No.: 1 Sl No.: 7