HC-KAR

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 3RD DAY OF JULY, 2025

BEFORE

THE HON'BLE MR. JUSTICE H.P.SANDESH

REGULAR SECOND APPEAL NO.916 OF 2022 (SP)

BETWEEN:

1. SMT. ANNAPURNA
W/O B.V. NAGARAJU
AGED ABOUT 48 YEARS

2. B.V. NAGARAJU
S/O LATE VEERANAGAPPA
AGED ABOUT 53 YEARS

BOTH ARE RESIDING AT
BUKKAPATNA VILLAGE
C.H. DURGA HOBLI
KORATAGERE TALUK-572129.

...APPELLANTS

Digitally signed by DEVIKA M
Location: HIGH COURT OF KARNATAKA

(BY SRI. VINOD KUMAR B.N., ADVOCATE - ABSENT)

AND:

SRI. UMESH
S/O LATE KAMANNA
AGED ABOUT 43 YEARS
R/AT BUKKAPATNA VILLAGE
C.H. DURGA HOBLI
KORATAGERE TALUK-572129.

...RESPONDENT

THIS RSA IS FILED UNDER SECTION 100 OF CPC, AGAINST THE JUDGMENT AND DECREE DATED 02.02.2022 PASSED IN R.A.NO.48/2019 ON THE FILE OF THE ADDITIONAL

SENIOR CIVIL JUDGE AND JMFC, MADHUGIRI, DISMISSING THE APPEAL AND CONFIRMING THE JUDGMENT AND DECREE DATED 16.01.2015 PASSED IN O.S.NO.118/2011 ON THE FILE OF THE CIVIL JUDGE AND JMFC, KORATAGERE AND ETC.

THIS APPEAL COMING ON FOR ORDERS THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE H.P.SANDESH

ORAL JUDGMENT

This matter is listed for non-compliance of office objections for seventh time.

2. This matter is of the year 2022 and the matter was listed before the Registrar on 23.06.2022, 03.11.2023 for compliance of office objections but not complied and on 27.11.2023, the matter was listed before the Court and this Court granted two weeks' time finally to comply with the office objections and on 29.10.2024, at the request of the learned counsel for the appellants, a week's time was granted to comply with the office objections on cost of Rs.2,000/- and on 11.11.2024, this Court again granted a week's time at the request of the counsel for the appellants to comply the office objections and this Court

also made it clear that if office objections are not complied till the next date of hearing, the appeal shall be dismissed. On 03.12.2024, the counsel for the appellants submits that he has partly complied with the office objections and again sought time to comply the remaining office objections and hence, this Court granted two weeks time to do the needful. But, till date the remaining office objections are not complied. Thus, it is clear that inspite of sufficient opportunity is given to comply with the office objections, the counsel for the appellants failed to do so and today, the counsel for the appellants is absent and it shows that the counsel is not diligent in pursuing the matter. Hence, the appeal is dismissed for non-compliance of office objections.

Sd/-
(H.P.SANDESH)
JUDGE

SN