**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 22ND DAY OF JANUARY, 2025**

**BEFORE**

**THE HON'BLE MS. JUSTICE JYOTI MULIMANI**

**REGULAR FIRST APPEAL NO. 1214 OF 2023 (PAR)**

**BETWEEN:**

1. K C ASHOK
   S/O (LATE) K B CHIKKAMUNIYAPPA,
   AGED ABIOUT 54 YEARS,
   AND RESIDING AT 1 KBC NILAYA,
   KAMMAGONDANALLI VILLAGE,
   JALLAHALLI WEST POST,
   BENGALURU-560 015.

2. SMT .CHENNAMMA
   W/O LATE K B CHIKKA MUNIYAPPA,
   AGED ABOUT 86 YEARS,
   RESIDING AT 1, KBC NILAYA,
   1ST CROSS, KAMAGONDANAHALLI,
   JALAHALI WEST, BENGALURU-560 015.

...APPELLANTS

(BY SRI. ABHINAY.Y.T., ADVOCATE [ABSENT])

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

**AND:**

1. T NARAYANA
   S/O THARAKARAMAIAH,
   AGED ABOUT 58 YEARS,
   AND RESIDING AT CHIKKABANAVARA,
   NEAR ASHOKA THEATRE,
   YESHWANTHPURA, BENGALURU-560 090.

2. SMT. D.PADMAMMA @ PADMA D
   W/O LATE DEVENDRAPPA,
   AGED ABOUT 72 YEARS,
   AND RESIDING
   BEHIND GOVERMENT SCHOOL

I MAIN, NARASAPPA CIRCLE,
NARASAPPA LAYOUT,
TOTADA GUDADHAHALLI,
NAGASANDRA POST,
BENGALURU-560 073.

3. SMT. HEMAMALINI
D/O (LATE) DEVENDAPPA,
AGED ABOUT 46 YEARS,
AND REIDING AT 2141, II FLOOR,
8TH CROSS ROAD,
OPP KESHAVA NRUTYA SCHOOL,
II STAGE, RAJAJINAGAR,
BENGALURU 560 010.

4. SHABARISHA
S/O (LATE ) DEVENDRAPPA,
AGED ABOUT 44 YEARS,
AND RESIDING
BEHIND GOVERNMENT SCHOOL,
I MAIN, NARASAPPA CIRCLE,
NARASAPPA LAYOUT,
TOTADA GUDADHAHALLI,
NAGASANDRA POST,
BENGALURU-560 073.

5. M NARAYANA
S/O (LATE) MUNISWAMAPPA,
AGED ABOUT 64 YEARS,
AND RESIDINGAT MARUTHI NILAYA,
NEAR ASHOKA THEATER,
CHIKKABANAVARA,
YESHWANTHPURA HOBLI,
BENGALURU NORTH TALUK,
BENGALURU-560 090.

6. VENKATESH
S/O (LATE) GOWRAMMA,
AND MUNIYAPPA,
AGED ABOUT 61 YEARS,
AND RESIDING AT

HANUMANTHANAGAR,
MANCHANAYAKANAHALLI POST,
BIDADI HOBLI, RAMANAGAR TALUK-562 109.

7. MANJUNATH
S/O (LATE) GOWRAMMA
AND MUNIYAPPA,
AGED ABOUT 51 YEARS,
AND RESIDING AT 172,
I FLOOR, 3RD CROSS,
NEAR WATER TANK,
PRAKRUTHI NAGARA,
TOTADA GUDADHALLI,
NAGASANDRA POST,
BENGALURU-560 073.

8. SURESH
S/O (LATE) GOWRAMMA
AND MUNIYAPPA,
AGED ABOUT 44 YEARS,
AND RESIDING AT 2141,
II FLOOR, 8TH CROSS ROAD,
OPP. KESHAVA NRUTHYA SCHOOL,
II STAGE, RAJAJINAGAR,
BENGALURU-560 010.

9. NAGESH
S/O (LATE) GOWRAMMA
AND MUNIPYAPPA,
AGED ABOUT 41 YEARS,
AND RESIDING AT 238,
13TH BLOCK, II STAGE,
NEAR SWATHI HOTEL,
NAGARABHAVI, BENGALURU-560 072.

10. SMT. UMA
W/O (LATE ) PILLAPPA,
D/O (LATE) GOWRAMMA
AND MUNIYAPPA,
AGED ABOUT 51 YEARS,
AND RESIDING AT 9/1,
GAPATHI NILAYA,

GROUND FLOOR, I MAIN ROAD,
JS NAGAR, NANDHINI LAYOUT,
BENGALURU-560 096.

11. CHANDRASHEKAR
S/O (LATE) GOWRAMMA
AND MUNIYAPPA,
AGED ABOUT 39 YEARS,
AND RESIDING AT 9/1,
GAPATHI NILAYA,
GROUND FLOOR, I MAIN ROAD,
JS NAGAR, NANDHINI LAYOUT,
BENGALURU-560 096.

12. SMT YESHODAMMA @ THYAMMA
W/O (LATE) MUNIYAPPA,
AGED ABOUT 76 YEARS,
AND RESIDING AT SK FLOUR MILL,
BESIDE DEPOT MUNISWAMAPPA BUILDINGS,
NEAR SREERAMA TEMPLE,
KAMMAGONDANAHALLI,
JALAHALLI WEST,
BENGALURU-560 015.

13. SMT HAMSA
W/O VENKATESH,
D/O (LATE) MUNIYAPA,
AGED ABOUT 46 YEARS,
AND RESIDING AT HANUMANTHANAGAR,
MANCHANAYAKANAHALI POST,
BIDADI HOBLI,, RAMANAGARA TALUK-562 109.

14. RAVINDRA M
S/O (LATE) MUNIYAPPA,
AGED ABOUT 53 YEARS,
AND RESIDING AT SK FLOUR MILL,
BESIDE DEPOT,
MUNISWAMAPPA BUILDING,
NEAR SREERAMA TEMPLE,
KAMMAGONDANAHALLI,
JALAHALLI WEST,
BENGALURU-560 015.

15. SREENIVASA M
S/O (LATE) MUNIYAPPA,
AGED ABOUT 51 YEARS,
AND RESIDING NEAR
YELLAMMA TEMPLE,
LAKSHMIPURA CROSS,
VIDYARANYANPURA POST,
BENGLAURU-560 090.

16. SMT. PADMA.M
D/O (LATE) MUNIYAPPA,
AGED ABOUT 45 YEARS,
AND RESIDING AT SK FLOUR MILL,
BESIDE DEPOT MUNISWAMAPPA BLDG,
NEAR SREERAMA TEMPLE,
KAMMGONDANAHALLI,
JALLAHALLI WEST,
BENGALURU-560 015.

17. LAKSHMIKANTH
S/O (LATE) SP HANUMANTHAIAH,
AGED ABOUT 62 YEARS,
AND RESIDING AT 201,
GALAXY CRESCENT APARTMENT,
BETWEEN 4TH AND 6TH MAIN,
OPP JAYANTHI APARTMENT,
MALLESHWARAM, BENGALURU-560 003.

18. RAVINDRA
S/O SP HANUMANTHAIAH,
AGED ABOUT 57 YEARS,
AND RESIDING AT 37,
"LAKSHMI VENKATESHWARA KRUPA"
8TH MAIN ROAD, NEAR ASHWINI CLINIC
MALLESHWARAM, BENGALURU-560 003.

19. SMT.YESHODA
D/O S.P.HANUMANTHAIAH,
AGED ABOUT 55 YEARS,
AND RESIDING AT 726,
24TH CROSS ROAD, WARD NO.13,

MUNESHWARA BLOCK, MALLASANDRA,
BENGALURU-560 075.

20. SMT SHARADA @ SHAMALA
D/O (LATE) SP HANUMANTHAIAH,
AGED ABOUT 51 YEARS,
AND RESIDING AT LIC QUARTERS,
JEEVAN BHEEMA NAGAR,
BENGALURU-560 075.

21. SMT. VIJAYALAKSHMI
D/O S P HANUMANTHAIAH,
AGED ABOUT 48 YEARS,
AND RESIDNG AT 39,
12TH MAIN, I FLOOR,
MALLESHWARAM,
BENGALURU-560 055.

22. MANJUNATHA
S/O (LATE ) V N JAYARAMAIAH,
AND JANAKAMMA,
AGED ABOUT 46 YEARS,
AND RESIDING AT 6,
II FLOOR, THIMMAKKA LAYOUT,
BEHIND MARKET, GOWRIBIDANUR ROAD,
CHIKKABALAPURA TOWN,
CHIKKABALAPURA-562 101.

23. CHANDRASHEKAR
S/O (LATE) V.N.JAYARAMAIAH,
AND JANAKAMMA
AGED ABOURT 41 YEARS,
AND RESIDNG AT 6,
II FLOOR, THIMMAKKA LAYOUT,
BEHIND MARKET, GOWRIBIDANUR ROAD,
CHIKKABALAPURA TOWN,
CHIKKABALAPURA-562 101.

24. J.V.SOMASHEKAR
S/O (LATE) H.VENKATASWAMAPPA,
AGED ABOUT 51 YEARS,

AND RESIDING AT FARM HOUSE,
MS PALYA, ADJACENT TO GANESHA LAYOUT,
VIDYARANYAPURA POST, BENGALURU-560 097.

ALSO AT
APPAIAHNNA PETROLOUM
INDIAN OIL PETROL BUNK,
MS PALYA,
VIDYARANYAPURA POST,
BENGALURU-560 097.

25. V RAGHU
S/O H VENKATASWAMAPPA,
AGED ABOUT 49 YEARS,
RESIDING AT FARM HOUSE,
MS PALYA, ADJACENT TO GANESH LAYOUT,
VIDYARANYAPURA POST,
BENGALURU-560 097.

ALSO AT
JALAHALLI SERVICE STATION,
INDIAN OIL PETROL BUNK,
GOKULUM MAIN RAOD,
BENGALURU-560 057.

26. A M RAJANNA
S/O (LATE) MUNISWAMAYAPPA,
AGED ABOUT 62 YEARS,
AND RESIDING AT 132,
I FLOOR, PALACE CROSS ROAD,
BENGALURU-560 020.

27. ANWAR
S/O (LATE) HAYATE KHAN,
AGED ABOUT 83 YEARS,
AND RESIDING NEAR
ASHOKA THEATER,
CHIKKABANAWARA,
BENGLAURU-560 090.

28. VEERAPPA
FATHER'S NAME NOT KNOW
AGED ABOUT 64 YEARS,
AND RESIDNG AT 46,
LAKSHMI NILAYA, ABBEGERE MAIN ROAD,
KAMMAGONDANAHALLI,
BENGALURU-560 015.

29. SMT N.BHAGYA
W/O M.NARAYAN,
AGED ABOUT 56 YEARS,
AND RESIDNG AT
MARUTHI NILAYA,
NEAR ASHOKA THEATER,
CHIKKABANAVARA,
YESHWANTAPUR HOBLI,
BENGALURU NORTH TALUK,
BENGALURU-560 090.

30. MOHAMMED MUSTAF
S/O (LATE) ABDUL SATTAR SAB,
AGED ABOUT 60 YEARS,
AND RESIDING AT 8,
SMILE MANSION,
BEHIND CORPORATION BANK,
MM LAYOUT, CHIKKASANDRA,
CHIKKABANAWAR POST,
BENGALURU-560 090.

31. SMT SUJATHA
D/O (LATE) K T KEMPAIAH,
AGED ABOUT 40 YEARS,
AND RESIDNG AT 7997,
10TH CROSS, SUBHASH NAGAR,
NELAMANGALA TOWN-562 123.

32. M/S DIVYA CORP PROPERTIES PVT LTD.,
HAVING ITS OFFICE AT
DIVYA MAPLE
NO.53/1A, I FLOOR,
8TH MAIN, MALLESHWARAM,

BENGALURU-560 055.
REPRESENTED BY ITS MANAGING DIRECTOR,
M.S.RAVI PRASAD,

AND ALSO AT
LIMELIGHT
INFRA PROPERTIES PVT. LTD.,
REPRESENTED BY ITS
MANAGING
BY ITS MANAGING DIRECTOR,
SRI M.S.RAVI PRASAD,
HAVING ITS OFFICE SITUATED AT
ABBIGERE MAIN ROAD,
KAMMAGONDANAHALLI,
JALAHALLI WEST, BENGALURU-560 015.

…RESPONDENTS

THIS REGULAR FIRST APPEAL IS FILED UNDER ORDER XLI RULE 1 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 before the Court and sufficient time was granted to comply with the office objections. Once again

the appeal was listed on 10.01.2025, 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 22.01.2025.

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 10.01.2025, the appeal is ***dismissed*** for non-prosecution and also for non-compliance of office objections.

**Sd/-**
**(JYOTI MULIMANI)**
**JUDGE**

MRP
List No.: 1 Sl No.: 7