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. 1275 OF 2023 (PAR/DEC)

BETWEEN:

SMT. NAGAVENI
W/O C.RAVI,
AGED ABOUT 46 YEARS,
RESIDING AT NO.4/1,
MUNIYAMMA CROSS,
KAMMANAHALLI MAIN ROAD,
RAMASWAMYPALYA,
BENGALURU NORTH (ADDL) TALUK,
BENGALURU-560 033.

...APPELLANT

(BY SRI. MANJUNATHA.A., ADVOCATE [ABSENT])

AND:

1. SMT.CHANDRAMMA
W/O SHANKARAPPA,
AGED ABOUT 47 YEARS,
RESIDING AT SRIRAMPURA,
OVERHEAD TANK,
JAKKUR POST,
YELAHANKA TALUK, BENGALURU-560 066.

2. SMT MANJULA,
W/O SRI.B.N.GOPAL,
AGE 43 YEARS,
RESIDING AT BIDARAGUPPE POST AND VILLAGE,
ATTIBELE HOBLI, ANEKAL TALUK,
BENGALURU-562 107.

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Location: High Court of Karnataka

3. SMT. SAVITHRI
W/O NARAYANA,
AGED ABOUT 40 YEARS,
RESIDING AT NO.41,
CHUNCHAGHATA,
KONANAKUNTE POST,
SAPTHAGIRI CUTTING TOOLS ROAD,
UTTARAHALLI HOBLI,
BANGALORE-560 062.

4. SRI. H.YESHWANTH SHENOY,
S/O LATE H.V.SHENOY,
MAJOR, RESIDING AT NO.43,
BASAVESHWARA NILAYA, 2ND CROSS,
NEHRU NAGAR, BANGALORE-560 020.

5. SRI. NITHIN.D,
S/O A.C.DHARANENDRAIAH,
R/AT NO.448, MAJOR,
2ND CROSS, 8TH MAIN,
B H C S LAYOUT,
SUBRAMANYAPURA POST
BANGALORE-560 061.

6. SRI SUBHANKAR RAJU,
S/O SIB RAJU,
MAJOR, R/AT NO.3/2,
MADHUSUDHAN DUTTA PATH,
CITY SALE CO-OPERATIVE,
DURGAPUR, BURDWAN,
WEST BENGAL.
PRESENTLY RESIDING AT
PLOT NO.405, OLD NO.49,
AT PURAVAMANA RESIDENCY, BANGALORE.

7. SRI JAYADEV PATIL ,
S/O SRIMANTHA RAO PATIL,
AGED ABOUT 56 YEARS,

8. SMT URMILA PATIL
W/O JAYADEV PATIL,

AGED ABOUT 50 YEARS,

BOTH ARE RESIDING AT
NO.1530, 1ST FLOOR,
2ND CROSS, 7TH MAIN ROAD,
BTM 2ND STAGE,
BANGALORE - 560 076.

ALSO AT NO.51, (OLD NO.31),
HOUSE LIST NO.383/10/2/31,
PILLAGANAHALLI VILLAGE,
UTTARAHALLI HOBLI,
BANGALORE SOUTH TALUK.

9. SRI. RAVI MOHAN KHATWAKAR,
S/O MOHAN KHATWAKAR,
AGED ABOUT 48 YEARS,
RESIDING AT NO 317,
AISHWARYA, 18TH MAIN,
2ND CROSS,
BEHIND KIMMINUS SCHOOL,
4TH BLOCK, BANGALORE-560 096.

10. CHANNABASAPPA GHALI,
S/ O GURUBASAPPA,
AGED ABOUT 50 YEARS,
RESIDING AT NO.B-403,
J.P.NAGAR , 7TH PHASE,
BANGALORE - 560 078.

11. SRI B.N.K. ANAND SHARMA,
S/O B.L.NARASIMHA BHATT,
MAJOR, NO 55/5,
DODDATHOGUR MAIN ROAD,
OPP VELAGANI, ELECTRONIC CITY,
BANGALORE-560 100.

…RESPONDENTS

THIS REGULAR FIRST APPEAL IS FILED UNDER SECTION 96 READ WITH ORDER 41 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 appellant is 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 07.01.2025, on that day, finally a week's 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' and also for appearance of counsel for the appellant on 22.01.2025.

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 appellant has not complied with the office

objections. It appears that the appellant is not interested in prosecuting the appeal. In view of peremptory order dated 07.01.2025, 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.: 8