IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 20TH DAY OF JANUARY, 2025

BEFORE

THE HON'BLE MS. JUSTICE JYOTI MULIMANI

REGULAR FIRST APPEAL NO. 1317 OF 2023 (SP/DE/IN)

BETWEEN:

SRI. L.H. BASANTH KUMAR,
AGED ABOUT 45 YEARS,
S/O LATE HANUMAIAH,
R/AT NO 66/2, PEENYA POST,
LAGGERE MAIN ROAD,
BANGALORE-560 058.

...APPELLANT

(BY SRI. VEMAREDDY.S., ADVOCATE [ABSENT])

AND:

1. SRI. L.K.PADMANABHA,
AGED ABOUT 45 YEARS,
S/O SRI L.A. KRISHNAPPA,
R/AT NO 131, LAGGERE MAIN ROAD,
BANGALORE-560 058.

Digitally signed by THEJASKUMAR N
Location: High Court of Karnataka

2. SRI HANUMAIAH
SINCE DEAD BY LR'S

2(a) SMT. HANUMAKKA,
AGED ABOUT 80 YEARS,
W/O LATE HANUMAIAH,

2(b) SMT HONNAMMA
AGED ABOUT 60 YEARS,
D/O LATE HANUMAIAH,
W/O SRI MUNITHIMMAIAH,

ALL ARE R/AT NO 68/4,
BEHIND MATHRUSHRI

KALYANA MANTAPA,
LAGGERE POST, BANGALORE-560 058.

3. SMT KAMALAMMA
AGED ABOUT 55 YEARS,
D/O LATE HANUMAIAH,
W/O SRI THIMMARAJU,

4. SMT. SHARADAMMA
AGED ABOUT 46 YEARS,
D/O LATE HANUMAIAH,
W/O SRI THIMMARAJU,

THE RESPONDENTS NO.2 & 3 ARE
R/AT NO 68/4,
BEHIND MATHRUSHRI KALYANA MANTAPA,
LAGGERE POST, BANGALORE-560 058.

5. SMT KANTHAMMA
D/O LATE HANUMAIAH,
W/O SRI MARAPPA,
SINCE DEAD BY LRS

5(a) SRI. MUNIRAJU
AGED ABOUT 40 YEARS,
S/O LATE KANTHAMMA,

5(b) SRI. JAGGA
AGED ABOUT 30 YEARS,
S/O LATE KANTHAMMA,

5(c). SMT NAGAMMA
AGED ABOUT 30 YEARS,
D/O LATE KANTHAMMA,
W/O SRI CHIKKA MARAPPA

5(d) SMT. MALA
AGED ABOUT 34 YEARS,
D/O LATE KANTHAMMA,

5(e) SMT. MAMATHA
AGED ABOUT 32 YEARS,
D/O LATE KANTHAMMA,

THE RESPONDENTS NO.5(a) TO 5(e)
R/AT NO 274, SAMPIGE ROAD,
AMBARISH CIRCLE, RAJAGOPALA NAGAR,
PEENYA POST, BANGALORE-560 058.

6. SRI L.A.KRISHNAPPA
AGED ABOUT 75 YEARS,
S/O LATE ANJANAPPA,
R/AT NO 131, LAGGERE MAIN ROAD,
BANGALORE-560 058.

…RESPONDENTS

(BY SRI. KIRAN.V.RON., ADVOCATE FOR C/R1)

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

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' on 20.01.2025 and also for appearance of counsel for the appellant, it was ordered to be listed on 20.01.2025.

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.: 39