HC-KAR

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF JUNE, 2025

BEFORE

THE HON'BLE MS. JUSTICE JYOTI MULIMANI

REGULAR FIRST APPEAL NO. 1515 OF 2017 (INJ)

BETWEEN:

1. SRI. M.RAMAPPA
   S/O OF LATE MARAPPA,
   AGED ABOUT 40 YEARS,
   RESIDING AT # 35,
   3RD CROSS ROAD,
   L.RAMAKRISHNAIAH LAYOUT,
   MALAGALU, BENGALURU,
   KARNATAKA - 560 091.

2. SRI. MAHESHKUMAR.A.L.
   SON OF M.LAXMANAPPA,
   AGED ABOUT 29 YEARS,
   AND RESIDING AT ANEPALYA,
   K.GOLLAHALLI POST, KEMGERI HOBLI,
   BENGALURU SOUTH TALUK,
   KARNATAKA - 560 060.

...APPELLANTS

(BY SMT. SUDHA.S.N., ADVOCATE [ABSENT])

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

AND:

1. SRI. CHANDRAKANTH N.HIREMATH
   S/O OF LATE N.R.HIREMATH,
   AND RESIDING AT # 1209,
   2ND MAIN ROAD, 2ND CROSS,
   VIJAYANAGAR, BENGALURU - 560 040.

2. KRISHNAMURTHY.H.R.
   S/O LATE RAMAIAH,
   AGED ABOUT 29 YEARS,

3. SMT. LATHA
W/O OF KRISHNAMURTHY.H.R.,
AGED ABOUT 35 YEARS,

RESPONDENTS 2 ND 3 ARE
RESIDING AT 138A, 7TH CROSS,
FF LAYOUT, LAGGERE,
BENGALURU - 560 058.

4. SMT M.SUMATI
WIFE OF R.RAMU,
AGED ABOUT 43 YEARS,
RESIDING AT NO.58/1,
4TH MAIN, TELECOM LAYOUT,
PIPELINE ROAD, VIJAYANAGAR,
BENGALURU - 560 040.

5. DR. SHANKAR D.DESAI
SON OF D.N.DESAI,
AGED ABOUT 58 YEARS,
AND RESIDING AT HIGI,
KHB COLONY, 1ST STAGE,
BASAVESHWARANAGAR,
BENGALURU - 560 079.

…RESPONDENTS

(BY SRI. M.M.PRASHANTH., ADVOCATE FOR R1 AND R4;
SRI. SHIVAKUMAR., ADVOCATE FOR
SRI. S.V.PRAKASH., ADVOCATE FOR C/R2 & 3;
SRI. B.RANGASWAMY IYENGAR., ADVOCATE FOR C/R5)

THIS REGULAR FIRST APPEAL IS FILED UNDER SECTION 96 OF THE CPC.

THIS REGULAR FIRST APPEAL IS LISTED FOR DISMISSAL, 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 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 16.06.2025. On that day, there was no representation on behalf of the appellants. Hence, for appearance of counsel for the appellants, the appeal was ordered to be listed on 17.06.2025.

The appeal is listed today for appearance of counsel for the appellants. As already noted above, when the case is called, the appellants are not represented. It appears that the appellants are not interested in prosecuting the appeal. Hence, 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

MRP
List No.: 1 Sl No.: 35