NC: 2025:KHC:1198
RFA No. 2094 of 2023

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 13TH DAY OF JANUARY, 2025

BEFORE

THE HON'BLE MS. JUSTICE JYOTI MULIMANI

REGULAR FIRST APPEAL NO. 2094 OF 2023 (INJ)

BETWEEN:

SRI. KODHANDA
S/O MANI,
AGED ABOUT 61 YEARS,
R/AT NO.1042, 11TH CROSS,
ST. MARYS' CHURCH ROAD,
BOMANNAHALLI,
BENGALURU-560 068.

...APPELLANT

(BY SRI. GIRISH.M.S., ADVOCATE [ABSENT])

AND:

SRI M.VIJAYA KUMAR
S/O LATE G.MARI SWAMY,
AGED ABOUT 46 YEARS,
R/AT FLAT NO.Q-202,
MANTRI PARADICE,
BANNERUGHATTA ROAD,
BENGALURU.
REPRESENTED BY HIS ATTORNEY HOLDER
SRI N.KUMAR S/O SRI N.KUPPA RAJU,
AGED ABOUT 56 YEARS,
R/AT NO.10/1B, 26TH MAIN,
17TH CROSS, J.P.NAGAR,
6TH PHASE, BENGALURU-560 078.

...RESPONDENT

THIS REGULAR FIRST APPEAL IS FILED UNDER SECTION 96 CPC AND ORDER 41 RULE 1 OF CPC.

Digitally signed by THEJASKUMAR N
Location: High Court of Karnataka

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 petition was listed on 09.01.2025, on that day, there was no representation on behalf of the appellant, either personally or through video conferencing. Hence, the office was directed to list this matter under the caption 'for dismissal' on 13.01.2025.

The appeal is listed today under the caption 'for dismissal'. As already noted above, when the case is called, the appellant is not represented. It appears that the appellant is not interested in prosecuting the appeal. Hence, the Regular First Appeal is ***dismissed*** for non-prosecution.

Sd/-
(JYOTI MULIMANI)
JUDGE

TKN
List No.: 1 Sl No.: 24