HC-KAR

IN THE HIGH COURT OF KARNATAKA,AT DHARWAD

DATED THIS THE 27TH DAY OF OCTOBER, 2025

BEFORE

THE HON'BLE MR. JUSTICE C M JOSHI

REGULAR SECOND APPEAL NO. 5657 OF 2010 (DEC/INJ)

BETWEEN:

1. SRI. VIJAYAKUMAR S/O. SHAMBULING PATTANASHETTI
SINCE DECEASED BY HIS LRS.

1A. SMT. SHIVALEELA
W/O. VIJAYKUMAR PATTANSHETTI,
AGE: 60 YEARS, OCC. NIL,
R/O. OPP. GOVT. JR. COLLEGE,
GOKAK, TQ. GOKAK, DIST. BELAGAVI.

1B. SRI. SANDEEP S/O. VIJAYKUMAR PATTANSHETTI,
AGE: 36 YEARS, OCC. NIL,
R/O. OPP. GOVT. JR. COLLEGE,
GOKAK, TQ. GOKAK, DIST. BELAGAVI.

1C. SRI. PRAVEEN S/O. VIJAYKUMAR PATTANSHETTI,
AGE: 31 YEARS, OCC. STUDENT,
R/O. OPP. GOVT. JR. COLLEGE,
GOKAK, TQ. GOKAK, DIST. BELAGAVI.

1D. SRI. RAHUL S/O. VIJAYKUMAR PATTANSHETTI,
AGE: 31 YEARS, OCC. STUDENT,
R/O. OPP. GOVT. JR. COLLEGE,
GOKAK, TQ. GOKAK, DIST. BELAGAVI.

...APPELLANTS

(BY SRI. SANTOSH A. BIRANAGI, ADVOCATE)

YASHAVANT NARAYANKAR
Digitally signed by YASHAVANT NARAYANKAR
Date: 2025.10.28 11:25:48 +0530

AND:

1. SMT. PAVITRA W/O. SHRISHAIL HOSAMANI,
AGE: MAJOR, OCC. MEDICAL PRACTIONER,
R/O. GOKAK, DIST. BELAGAVI.

SINCE DECEASED, REPRESENTED BY HIS LRS.

1A. SRI. SRISHAIL S/O. MALLIKARJUN HOSAMANI,
AGE: 66 YEARS, OCC. DOCTOR,
R/O. NAVJEEVAN HOSPITAL, GOKAK, TQ. GOKAK,
DIST. BELAGAVI-591307.

1B. SRI. TEJASHWI S/O. SRISHAIL HOSAMANI,
AGE: 34 YEARS, OCC. DOCTOR,
R/O. NAVJEEVAN HOSPITAL, GOKAK, TQ. GOKAK,
DIST. BELAGAVI-591307.

1C. SRI. AMBARISH S/O. SRISHAIL HOSAMANI,
AGE: 34 YEARS, OCC. DOCTOR,
R/O. NAVJEEVAN HOSPITAL, GOKAK, TQ. GOKAK,
DIST. BELAGAVI-591307.

2. SRI. APPASAHEB S/O. BALU BADANIKAI,
AGE: 82 YEARS, OCC. NIL,
R/O. VIDYANAGAR, GOKAK,
TQ. GOKAK, DIST. BELAGAVI.

3. SRI. NARENDRA S/O. APPASAHEB BADANIKAI,
AGE: 40 YEARS, OCC. NIL,
R/O. VIDYANAGAR, GOKAK,
TQ. GOKAK, DIST. BELAGAVI.

4. SMT. KAMALAVVA
W/O. SHAMBULINGAPPA PATTANSHETTI,
AGE: 68 YEARS, OCC. NIL,
R/O. OPP. GOVT. JR. COLLEGE,
GOKAK, TQ. GOKAK, DIST. BELAGAVI.

…RESPONDENTS

(BY SRI. F.V. PATIL, ADVOCATE FOR R1(A) TO (C) (NOC);
SRI. RAVI S. BALIKAI, ADVOCATE FOR R2 TO R5)

THIS RSA IS FILED UNDER SECTION 100 OF CPC, PRAYING TO SET ASIDE THE JUDGMENT AND DECREE PASSED BY THE LEARNED II ADDL. DISTRICT JUDGE BELAGAVI IN RSA NO.278/2008 DATED 21.04.2010 BY CONFIRMING THE JUDGMENT AND DECREE PASSED BY THE LEARNED II ADDL. CIVIL JUDGE (SR.DN.) GOKAK O.S.NO.26/2000 DATED 05-12-2008 AND APPEAL MAY KINDLY BE ALLOWED IN THE INTEREST OF JUSTICE AND EQUITY.

THIS APPEAL, COMING ON FOR ORDERS THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

ORAL JUDGMENT

(PER: THE HON'BLE MR. JUSTICE C M JOSHI)

It is seen that despite granting time for the whole of the day till 05.16 p.m., the counsel for the appellants has not carried out the amendment as ordered by this Court on last date. Therefore, the appeal is dismissed for non-compliance.

SD/-
(C M JOSHI)
JUDGE

RKM
CT:PA
LIST NO.: 1 SL NO.: 2