HC-KAR

NC: 2026:KHC:63104
RSA No. 2137 of 2017

CNR: KAHC010443542017

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR

REGULAR SECOND APPEAL NO. 2137 OF 2017

BETWEEN:

SAROJA
W/O LATE SANJEEVA BHANDARY
D/O LATE THABARA BHANDARY
AGED ABOUT 66 YEARS,
R/O KALMAKKI MAVINAKERE VILLAGE,
KALASA HOBLI-577 124
MUDIGERE TALUK
CHIKKAMAGALURU DISTRICT
REPRESENTED BY HER
GENERAL POWER OF ATTORNEY
NAVEEN S/O SANJEEVA BANDARI
AGED ABOUT 45 YEARS,
R/O KALMAKKI KALASA - 577 124.
CHIKKMAGALURU.

…APPELLANT

(BY SRI. S V PRAKASH, ADVOCATE)

Digitally signed by VANDANA S
Location: High Court of Karnataka

AND:

1. K R VANI SUDHAKAR
   W/O LATE K SUDHAKARA
   AGED ABOUT 46 YEARS,
   R/O SOUNDARYA BEAUTY PARLOUR
   AZAD ROAD, MUDIGERE TOWN/POST
   MUDIGERE TALUK-577 132
   CHIKKAMGALURU DISTRICT.

2. PAWAN
   S/O LATE K SUDHAKARA
   AGED ABOUT 26 YEARS,
   R/O SOUNDARYA BEAUTHY PARLOUR
   AZAD ROAD, MUDIGERE TOWN/POST
   MUDIGERE TALUK-577 132
   CHIKKAMAGALURU DISTRICT.

3. NAYANA
D/O LATE K SUDHAKARA
W/O NARAYANA MURTHY
AGED ABOUT 29 YEARS,
C/O NR GREENWOOD
CONSTRUCTIONS PVT LTD.,
396 3RD FLOOR, 1ST MAIN,
JUDGES COLONY GANGANAGARA
NEAR R.T. NAGARA
BENGALURU-560 032.

4. YASHODHA
W/O LATE BHASKARA
AGED ABOUT 44 YEARS,
R/O NEAR VIJAYA BANK
CHANNAPATANA TOWN/POST – 573 201
HASSAN DISTRICT.

5. NIHAL
S/O LATE BHASKARA
AGED ABOUT 18 YEARS,
R/O NEAR VIJAYA BANK
CHANNAPATANA TOWN/POST – 573 201
HASSAN DISTRICT.

6. DHANALAKSHMI
W/O LATE SADANANDA
AGED ABOUT 61 YEARS,
R/O NO.25 RENUKA NILAYA
BEHIND SRI RENUKA TEMPLE
DODDABOMMASANDRA
VIDHYARANYAPURA POST
BENGALURU-560 097.

7. NANDAKUMAR
S/O LATE SADANANDA
AGED ABOUT 36 YEARS,
R/O NO.25 RENUKA NILAYA
BEHIND SRI RENUKA TEMPLE
DODDABOMMASANDRA
VIDHYARANYAPURA POST
BENGALURU-560 097.

8. VIMALA
D/O LATE THABARA BHANDARY
W/O N B KRISHNAMURTHY
AGED ABOUT 65 YEARS,

R/O NO.36, BHOLLINGESHWARA NILAYA
2ND MAIN ROAD, 3RD CROSS
GOVINDAREDDY LAYOUT
DODDANAKUNDA
BENGALURU-560 037.

9. VIJAYAKUMARI
D/O LATE THABARA BHANDARY
W/O MOHAN SHETTY
AGED ABOUT 61 YEARS,
R/O METRO HAIR DRESSES
SOUNDARYA BEAUTY PARLOUR
NEAR THARADEVI NRUSING HOME
B.H. ROAD, TIPTUR -572 114
TUMAKURU DISTRICT.

10. MALINI
D/O LATE THABARA BHANDARY
W/O B N NAGARAJ
AGED ABOUT 58 YEARS
R/O METRO HAIR DRESSES
SOUNDARYA BEAUTY PARLOUR
NEAR THARADEVI NURSING HOME
B H ROAD, TIPTUR -572 114
TUMAKURU DISTRICT.

11. NATESHA M BHANDARY
W/O MANJAPPA BHANDARY
AGED ABOUT 51 YEARS,
R/O DOOR NO.2-101 MERAMAJAL
BANTWAL TALUK-574187
DAKSHINA KANNADA DISTRICT.

12. HEMA
W/O NEELKANTH DANDOTI
AGED ABOUT 49 YEARS,
R/O H NO.9-587/103/2A/64
LAKSHMI NARASIMHA NIVASA
J R NAGAR ALAND ROAD,
GDA COLONY GULABARGA-585 101.

13. RAJINI W/O G V UDAYA
AGED ABOUT 37 YEARS,
R/O 2ND CROSS, MARUTHINAGAR
GUBBI, TUMAKURU DISTRICT-572 216.

…RESPONDENTS

(BY SRI. VIJAYA SHEKARA GOWDA V.,ADVOCATE)

THIS RSA IS FILED UNDER SECTION 100 OF CPC, AGAINST THE JUDGMENT AND DECREE DATED 17.08.2017 PASSED IN R.A.NO.71/2015 ON THE FILE OF THE SENIOR CIVIL JUDGE AND JMFC, MUDIGERE, DISMISSING THE APPEAL AND CONFIRMING THE JUDGMENT AND DECREE DATED 17.03.2015 PASSED IN O.S.NO.130/2011 ON THE FILE OF THE ADDITIONAL CIVIL JUDGE AND JMFC, MUDIGERE.

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

CORAM: HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR

ORAL JUDGMENT

Learned counsel for the appellant submits that no instructions are forthcoming from the legal representatives of the deceased appellant, who expired on 04.05.2023.

2. The said submission is placed on record.

3. Accordingly, the appeal is dismissed as abated, reserving liberty in favour of the appellant to seek revival of the appeal, if the occasion so arises.

Sd/-
(S.R.KRISHNA KUMAR)
JUDGE

BMC
List No.: 2 Sl No.: 6