IN THE HIGH COURT OF KARNATAKA,

KALABURAGI BENCH

DATED THIS THE 21ST DAY OF JANUARY, 2025

BEFORE

THE HON'BLE MS JUSTICE J.M.KHAZI

REGULAR SECOND APPEAL NO.200020 OF 2025

(DEC-)

BETWEEN:

1. SRI. NANDAKUMAR
   S/O NAGENDRA RAO SALANKE
   AGE: 51 YEARS,
   OCC: AGRICULTURE AND BUSINESS
   R/O. SONAR GALLI GUNJ, BHALKI,
   TQ.BHALKI, DIST.BIDAR

...APPELLANT

(BY SRI. RATHOD SUBHASCHANDRA DESU &
SMT. SWATI M.N ADV.)

AND:

Digitally signed by SHIVALEELA DATTATRAYA UDAGI
Location: HIGH COURT OF KARNATAKA

1. SMT. RATNAMMA
   W/O LATE BABURAO @ BABU CHINKERA
   AGE ABOUT: 78 YEARS
   OCC: AGRICULTURE AND HOUSE WIFE
   R/O. DHUMMANSUR
   TQ. HUMNABAD
   DIST. BIDAR – 585353.

2. THE STATE OF KARNATAKA
   THROUGH DEPUTY
   COMMISSIONER, BIDAR – 585401.

3. ASST. COMMISSIONER BASAVAKALYAN,
REP. THE REVENUE SUB-DIVISION OF
BASAVAKALAYAN – 585 327.

4. SMT. ARUNABAI
W/O UNJWALSINGH
AGED ABOUT 47 YEARS,
OCC: AGRICULTURE AND HOUSEHOLD,
R/AT H.NO.13-1-877, MANGAL HAAT, DHOOL PETH,
HYDERABAD, TELANGANA – 500 006.

…RESPONDENTS

THIS REGULAR SECOND APPEAL UNDER SECTION 100 OF THE CODE OF CIVIL PROCEDURE 1908, PRAYING TO SET ASIDE THE JUDGMENT AND DECREE PASSED BY THE FIRST APPELLATE COURT IN R.A.NO.101/2019 DATED 15.10.2024 BY THE II ADDITIONAL DISTRICT & SESSIONS COURT, BIDAR SITTING AT BASAVAKALYAN AND THEREBY CONFORM THE JUDGMENT AND DECREE PASSED IN O.S.NO.105/2016 DATED 08.11.2019 BY THE SENIOR CIVIL JUDGE & JMFC HUMNABAD AND CONSEQUENTLY TO DISMISS THE SUIT OF THE PLAINTIFF/ RESPONDENT NO.1 IN ENTIRETY, IN THE INTEREST OF JUSTICE AND EQUITY.

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

CORAM: HON'BLE MS JUSTICE J.M.KHAZI

ORAL JUDGMENT

(PER: HON'BLE MS JUSTICE J.M.KHAZI)

Learned counsel for the appellant has filed memo to convert this appeal into Miscellaneous Second Appeal. In the light of the same, permission is granted to convert this appeal as Miscellaneous Second Appeal. For statistical purpose, RSA No.200020/2025 stands disposed of.

Sd/-
(J.M.KHAZI)
JUDGE

SMP
List No.: 1 Sl No.: 13