IN THE HIGH COURT OF KARNATAKA,

KALABURAGI BENCH

DATED THIS THE 24TH DAY OF APRIL, 2025

BEFORE

THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

REGULAR FIRST APPEAL NO.200105 OF 2025 (PAR/POS)

BETWEEN:

1. SHOBHA
   D/O SHIROMANI,
   W/O SHARNAPPA,
   AGE: 42 YEARS,
   OCC: HOUSEHOLD,
   R/O: G.P. NO.38, VILLAGE CHATNAL,
   NOW AT CHICKPET, JANWADA ROAD,
   TQ. AND DIST. BIDAR – 585 402.

2. MAMATA
   D/O SHIROMANI,
   W/O SHANTKUMAR,
   AGE: 35 YEARS,
   OCC: HOUSEHOLD,
   R/O: G.P. NO.38, VILLAGE CHATNAL,
   NOW AT CHICKPET, JANWADA ROAD,
   TQ. AND DIST. BIDAR – 585 402.

Digitally signed by BASALINGAPPA SHIVARAJ DHUTTARGAON
Location: HIGH COURT OF KARNATAKA

...APPELLANTS

(BY SRI LIYAQAT FAREED USTAD, ADVOCATE)

AND:

1. SUDHAKAR
   S/O SHIROMANI,
   AGE: 37 YEARS,
   OCC: AGRICULTURE AND COOLI,

R/O:G.P.NO.46, CHICKPET,
JANWADA ROAD,
TQ. AND DIST. BIDAR – 585 402.

2. SUDHARANI
W/O LATE. SHIVKUMAR,
AGE: 31 YEARS,
OCC: HOUSEHOLD,
R/O:G.P.NO.38, CHICKPET,
JANWADA ROAD,
TQ. AND DIST. BIDAR – 585 402.

3. SHIROMANI
S/O GUNDAPP,
AGE: 60 YEARS,
OCC: AGRICULTURE,
R/O:G.P.NO.___, CHICKPET,
TQ. AND DIST. BIDAR.
(DIED ON 17.03.2020 DURING
PENDENCY OF THE CASE,
BUT DEATH IS NOT REPORTED)

4. KASHAMMA
W/O SHIROMANI,
AGE: 60 YEARS,
OCC: AGRICULTURE AND COOLI,
R/O:G.P.NO.38, CHICKPET,
JANWADA ROAD,
TQ. AND DIST. BIDAR – 585 402.

5. SANJEEVREDDY
S/O SHANKAR REDDY,
AGE: 49 YEARS,
OCC: BUSINESS,
R/O: H.NO. 15-3-37, GANESH NAGAR,
BELDALE PETROL PUMP,
MANHALLI ROAD, BIDAR – 585 403.

6. BALAJI
S/O MANIKRAO PATIL,
AGE: 59 YEARS,
OCC: BUSINESS,

R/O: VILLAGE BIMBRA,
TQ: AURAD-B, DIST: BIDAR.
NOW AT H.NO.3-92,
NEAR CHIMKODE COLLEGE,
SHIVAJI NAGAR, CHITTA ROAD,
BIDAR – 585 403.

…RESPONDENTS

THIS REGULAR FIRST APPEAL IS FILED UNDER SECTION 96 OF THE CODE OF CIVIL PROCEDURE, PRAYING TO SET ASIDE THE AND MODIFY THE JUDGMENT AND DECREE DATED PASSED BY I ADDITIONAL SENIOR CIVIL JUDGE AND J.M.F.C., AT BIDAR IN O.S.NO.130/2018 DATED 09.02.2022 AND CONSEQUENTLY TO DECREE THE SUIT OF THE PLAINTIFF IN ITS ENTREATY IN THE INTEREST OF JUSTICE AND ETC.

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

CORAM: HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE)

It is noticed that, the valuation of the suit is below Rs.10,00,000/-.

Hence, the appeal is not maintainable before this Court.

The appeal is dismissed reserving liberty to the appellants to file appeal before the jurisdictional district Court.

Registry to return the certified copy of the impugned Judgment and decree to the appellants.

The period from the date of filing of this appeal i.e. 14.02.2025 to till date, shall be excluded in computing the limitation period if any.

Sd/-
(ANANT RAMANATH HEGDE)
JUDGE

SVH
List No.: 1 Sl No.: 18