IN THE HIGH COURT OF KARNATAKA,

KALABURAGI BENCH

DATED THIS THE 1ST DAY OF JULY, 2025

BEFORE

THE HON'BLE MR. JUSTICE RAVI V HOSMANI

REGULAR SECOND APPEAL NO. 200215 OF 2024 (PAR/POS)

BETWEEN:

1. SABAMMA
   W/O LATE NARAYANAPPA,
   AGE: 70 YEARS,
   OCC: AGRICULTURE,
   R/O: VENKATRAYANPET OF MUDGAL,
   TQ: LINGASUGUR,
   DIST: RAICHUR – 584 125.

2. HECHCHARA SWAMI
   S/O LATE NARAYANAPPA,
   AGE: 40 YEARS,
   OCC: AGRICULTURE,
   R/O: VENKATRAYANPET OF MUDGAL,
   TQ: LINGASUGUR,
   DIST: RAICHUR – 584 125.

Digitally signed by NIJAMUDDIN JAMKHANDI
Location: HIGH COURT OF KARNATAKA

...APPELLANTS

(BY SRI J. AUGUSTIN, ADVOCATE (ABSENT)

AND:

1. NARAYANAPPA
   S/O RAMACHANDRAPA ILAGER,
   AGE: 70 YEARS,
   OCC: AGRICULTURE,
   R/O: VENKATRAYANPET OF MUDGAL,
   TQ: LINGASUGUR,
   DIST: RAICHUR – 584 125.

2. VENKOBA
S/O RAMACHANDRAPA ILAGER,
AGE: 65 YEARS,
OCC: AGRICULTURE,
R/O: MUDGAL, VENKATRAYANPET VILLAGE,
TQ: LINGASUGUR,
DIST: RAICHUR – 584 125.

3. TAMMANNA
S/O LATE NARAYANAPPA,
AGE: 37 YEARS,
OCC: AGRICULTURE,
R/O: MUDGAL, VENKATRAYANPET VILLAGE,
TQ: LINGASUGUR,
DIST: RAICHUR – 584 125.

4. MAHADEVAMMA
W/O NARASAYYA,
AGE: 51 YEARS,
OCC: HOUSEHOLD,
R/O: MUDGAL, VENKATRAYANPET VILLAGE,
TQ: LINGASUGUR,
DIST: RAICHUR – 584 125.

5. CHANNAMMA
W/O NARASAPPA ILAGER,
AGE: 46 YEARS,
OCC: HOUSEHOLD,
R/O: MANVI, TQ: MANVI,
DIST: RAICHUR – 584 123.

6. SHANTAMMA @ LAXMI
W/O NAGARAJA,
AGE: 41 YEARS,
OCC: HOUSEHOLD,
R/O: NEERAMANVI, TQ: MANVI,
DIST: RAICHUR – 584 123.

7. PARVATI
W/O SHREERAMULU,
AGE: 40 YEARS,
OCC: HOUSEHOLD,
R/O: SADAPUR, TQ: MANVI,
DIST: RAICHUR - 584 123.

8. RENUKA
W/O MALLIKARJUN ILAGER,
AGE: 38 YEARS,
OCC: HOUSEHOLD,
R/O: LINGASGURU,
TQ: LINGASGURU,
DIST: RAICHUR – 584 123.

…RESPONDENTS

(BY SRI MAHANTESH PATIL, ADVOCATE FOR R1 AND R2 (ABSENT)

THIS RSA IS FILED UNDER SECTION 100 OF CPC, PRAYING TO SET ASIDE THE JUDGMENT AND DECREE DATED 05.01.2024 PASSED IN R.A.NO.25/2021 BY THE III ADDITIONAL DISTRICT AND SESSIONS JUDGE AT RAICHUR SITTING AT SINDHANUR, WHEREIN DISMISSING THE SUIT OF THE PLAINTIFF / APPELLANT BY CONFIRMING THE JUDGMENT AND DECREE DATED 19.02.2021 PASSED IN BY THE LEARNED AND CONSEQUENTLY ALLOW THE SUIT OF THE PLAINTIFF / APPELLANT I.E., O.S.NO.128/2019 FILED BEFORE THE LEARNED SENIOR CIVIL JUDGE AND JMFC AT LINGASUGUR, IN SO FAR AS PRAYED FOR IN SUIT, IN THE INTEREST OF JUSTICE AND EQUITY.

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

CORAM: HON'BLE MR. JUSTICE RAVI V HOSMANI

ORAL JUDGMENT

Though matter was listed for non-compliance of office objections for fifth time, none appears. It was passed over and called again.

2. There is no representation. This would indicate that appellant is not diligent in pursuing appeal. Hence, appeal is dismissed for non-prosecution.

Sd/-
(RAVI V HOSMANI)
JUDGE

MSR
List No.: 1 Sl No.: 3