NC: 2025:KHC-K:2819
RFA No. 200106 of 2024

HC-KAR

**IN THE HIGH COURT OF KARNATAKA,**

**KALABURAGI BENCH**

**DATED THIS THE 4TH DAY OF JUNE, 2025**

**BEFORE**

**THE HON'BLE MR. JUSTICE RAVI V HOSMANI**

**REGULAR FIRST APPEAL NO.200106 OF 2024 (PAR/POS)**

**BETWEEN:**

1. KHAIRUN BEE
   W/O LATE BASHEER MIYAN
   AGE: 56 YEARS,
   OCC: HOUSEHOLD,
   R/O: KHANAPUR VILLAGE,
   TQ: BHALKI,
   DIST: BIDAR – 585 328.

2. SHABANNA
   D/O LATE BASHEER MIYAN
   AGE: 37 YEARS,
   OCC: HOUSEHOLD,
   R/O: KHANAPUR VILLAGE,
   TQ: BHALKI,
   DIST: BIDAR – 585 328.

3. MALANG
   S/O LATE BASHEER MIYAN,
   AGE: 33 YEARS,
   OCC: HOUSEHOLD,
   R/O: KHANAPUR VILLAGE,
   TQ: BHALKI,
   DIST: BIDAR – 585 328.

...APPELLANTS

(BY SRI MAHADEV S.PATIL, ADVOCATE)

Digitally signed by RAMESH MATHAPATI
Location: HIGH COURT OF KARNATAKA

**AND:**

SHABBIR MIYAN
S/O LATE HAMID SAB,
AGE: 70 YEARS,
OCC: AGRICULTURE,
R/O: KOLAR 'K' VILLAGE,
NEAR BOMBONDESHWAR ROAD KOLAR K,
TQ: AND DIST: BIDAR – 585 401.

…RESPONDENT

THIS REGULAR FIRST APPEAL IS FILED UNDER SECTION 96 OF CPC, PRAYING TO ALLOW THE APPEAL BY SETTING ASIDE THE JUDGMENT AND DECREE DATED 20.09.2023 PASSED BY THE PRINCIPAL SENIOR CIVIL JUDGE AND C.J.M., AT BIDAR IN O.S.NO.109/2022 AND CONSEQUENTLY DECREE THE SUIT OF THE PLAINTIFF WITH COST IN THE INTEREST OF JUSTICE.

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

CORAM: HON'BLE MR. JUSTICE RAVI V HOSMANI

**ORAL JUDGMENT**

None appears for appellants.

2. On 24.04.2025, when matter was listed for non-compliance of office objections for eighth time, this Court as a last chance had given weeks further time to comply with office objections and ordered matter to be listed for dismissal in case of non-compliance.

3. As per registry note, office objections remain un-complied. This would indicate that appellant is not diligently pursing appeal. Therefore, appeal is dismissed for non-prosecution.

**Sd/-**
**(RAVI V HOSMANI)**
**JUDGE**

MSR
List No.: 1 Sl No.: 27
Ct;Vk