HC-KAR

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. 200334 OF 2018 (DEC/INJ)

BETWEEN:

POLAYYA S/O NARSA,
AGE: 70 YEARS,
OCC: AGRI.,
R/O: GONWAR VILLAGE,
TQ: & DIST: RAICHUR – 584 101.

…APPELLANT

(BY SRI SHIVANAND PATIL, ADVOCATE)

AND:

1. JULUMGERA THIMMAYYA
S/O DODDA MUKAYYA,
AGE: 70 YEARS,
OCC: AGRI.,
R/O: GONWAR VILLAGE,
TQ: & DIST: RAICHUR – 584 101.

2. SMT. SARASWATHAMMA
W/O MALLAYYA,
AGE: 73 YEARS,
OCC: HOUSEHOLD,
R/O: BENDARWADI,
NEAR RAM MANDIR,
GANGAVATHI,
DIST: KOPPAL – 583 227.

…RESPONDENTS

(BY SRI SHIVAKUMAR KALLOOR, ADVOCATE FOR R1)

Digitally signed by NIJAMUDDIN JAMKHANDI
Location: HIGH COURT OF KARNATAKA

THIS RSA IS FILED UNDER SECTION 100 OF THE CPC, PRAYING TO ALLOW THE APPEAL BY SETTING ASIDE THE IMPUGNED JUDGMENT AND DECREE DATED 16.08.2018 IN R.A.NO.1/2018 OF THE PRINCIPAL SENIOR CIVIL JUDGE, RAICHUR AND THE IMPUGNED JUDGMENT AND DECREE DATED 30.11.2017 IN O.S.NO.189/2008 OF THE ADDITIONAL CIVIL JUDGE AND JMFC III, RAICHUR AND CONSEQUENTLY DISMISS THE SUIT OF THE PLAINTIFF 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

As per memo dated 07.01.2021, sole appellant had died on 09.05.2020.

Till date steps are not taken. Hence, appeal is dismissed as abated.

Sd/-
(RAVI V HOSMANI)
JUDGE

SN
List No.: 1 Sl No.: 20