



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 14TH DAY OF OCTOBER, 2025

BEFORE

THE HON'BLE DR. JUSTICE K.MANMADHA RAO

REGULAR SECOND APPEAL NO. 1162 OF 2018 (POS)

BETWEEN:

1. SUNDARA GOWDA
S/O LATE KRISHNAPPA GOWDA
MAJOR, R/AT ALAJE HOUSE,
MURULYA VILLAGE & POST
SULLIA TALUK, D.K.DISTRICT- 574 212.
2. KUNHANNA GOWDA
S/O LATE KRISHNAPPA GOWDA
MAJOR, R/AT ALAJE HOUSE,
MURULYA VILLAGE & POST
SULLIA TALUK, D.K.DISTRICT- 574 212.
3. SMT. RATHNAVATHI
D/O LATE KRISHNAPPA GOWDA
MAJOR, R/AT PILIKAJE HOUSE,
AMARAPADNOOR VILLAGE,
SULLIA TALUK, D.K.DISTRICT- 574 212.
4. SMT. MOHINI
D/O LATE KRISHNAPPA GOWDA
W/O DAMODHARA GOWDA,
MAJOR, R/AT KULLAMPADY HOUSE,
IVARNADU VILLAGE
SULLIA TALUK, D.K.DISTRICT- 574 212.
5. SMT. PUSHPAVATHI

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by
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Location: High
Court of
Karnataka





D/O LATE KRISHNAPPA GOWDA
MAJOR, W/O PADMANABHA GOWDA,
R/AT YERMETHIMARU HOUSE,
KUDMARU VILLAGE,
PUTTUR TALUK, D.K.DISTRICT- 574 202.

6. SMT. BALAKI
W/O LATE DASAPPA GOWDA
MAJOR, R/AT AALJE HOUSE,
MURULYA VILLAGE,
SULLIA TALUK,
D.K.DISTRICT- 574 212.
7. SMT. SUMITHRA
D/O LATE DASAPPA GOWDA
MAJOR, W/O MOHANA GOWDA,
R/AT BOLKAJE HOUSE
YADAMANGALA VILLAGE,
SULLIA TALUK,
D.K.DISTRICT- 574 232.
8. NAGESH
S/O LATE DASAPPA GOWDA
MAJOR, R/AT AALAJE HOUSE,
MURULYA VILLAGE,
SULLIA TALUK,
D.K.DISTRICT- 574 212.
9. NAVEEN
S/O LATE DASAPPA GOWDA
MAJOR, R/AT MURULYA VILLAGE,
SULLIA TALUK,
D.K.DISTRICT- 574 212.

...APPELLANTS

(BY SRI. G RAVISHANKAR SHASTRY., ADVOCATE)



AND:

1. K V GANAPAYYA
S/O LATE K.S.VENKAPPA BHAT
AGED ABOUT 89 YEARS,
R/AT ALAJE HOUSE,
MURULYA VILLAGE AND POST,
SULLIA TALUK, D.K.DISTRICT- 574212.
2. SMT.KAMALA
W/O LATE KRISHNAPPA GOWDA
AGED ABOUT 76 YEARS,
R/AT ALAJE HOUSE MURULYA VILLAGE
SULLIA TALUK, D.K- 574 212.

...RESPONDENTS

(BY SRI. K RAVISHANKAR FOR C/R1.,ADVOCATE)

THIS RSA IS FILED U/S.100 OF CPC AGAINST THE JUDGMENT AND DECREE DATED 01.03.2018 PASSED IN RA.NO.74/2004 ON THE FILE OF THE SENIOR CIVIL JUDGE AND JMFC SULLIA, D.K. DISMISSING THE APPEAL AND CONFIRMING THE JUDGMENT AND DECREE DATED 09.03.2004 PASSED IN OS.NO.173/99 ON THE FILE OF THE CIVIL JUDGE (JR.DN) AND JMFC SULLIA, D.K.

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

CORAM: HON'BLE DR. JUSTICE K.MANMADHA RAO



ORAL JUDGMENT

Learned counsel for the appellants present.

2. Learned counsel for respondents submits that respondent No.1 was passed away and the appeal may be dismissed as abated. Even in the connected appeal i.e., in RSA No.1161/2018 was also dismissed.

3. Learned counsel for the appellants submits that respondent No.2 is the co-defendant and sailing along with the appellants. He submits that the appeal may be dismissed as abated.

4. In view of the above, this Regular Second Appeal is dismissed as abated.

**Sd/-
(DR.K.MANMADHA RAO)
JUDGE**

GSR
List No.: 1 Sl No.: 39