



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 26TH DAY OF MARCH, 2026

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

THE HON'BLE MR. JUSTICE T.M.NADAF

WRIT APPEAL NO. 249 OF 2025 (KLRA)

BETWEEN:

1. ABDUL GANI SAB BUDEN SAB
DEAD BY LRS

SRI ASWATH ALI DEAD BY LRS

SMT. MUBEENA
W/O LATE ASHWATH ALI
AGED ABOUT 49 YEARS
R/AT NO. 185, 3RD CROSS,
MARIKOPPA ROAD,
TUNGABHADRA BADAVANE,
HONNALI, DAVANGERE - 577 217

2. SRI TOUSEEF AHMED
S/O LATE ASHWATH ALI
AGED ABOUT 29 YEARS
R/AT NO. 185, 3RD CROSS,
MARIKOPPA ROAD,
TUNGABHADRA BADAVANE,
HONNALI, DAVANGERE - 577 217

3. SRI SUHAIL AHAMED
S/O LATE ASHWATH ALI
AGED ABOUT 23 YEARS
R/AT NO. 185, 3RD CROSS,



MARIKOPPA ROAD,
TUNGABHADRA BADAVANE,
HONNALI, DAVANGERE - 577 217

4. SMT AFSEEN BANU
W/O MOHAMMED RAFEEQ
D/O LATE ASHWATH ALI
AGED ABOUT 18 YEARS
R/AT NO. 186-2, K.K.ROAD,
SANTE MAIDANA, SASEVHALLI POST,
HONNALI
DAVANGERE - 577 224
5. SRI ASIF
S/O LATE ASHWATH ALI
AGED ABOUT 25 YEARS
R/AT NO. 185, 3RD CROSS,
MARIKOPPA ROAD,
TUNGABHADRA BADAVANE,
HONNALI,
DAVANGERE - 577 217
6. SRI MEHAR ALI
S/O LATE ABDULGANISAB
MANDAKKAI
AGED ABOUT 82 YEARS
R/AT MYLAR BEEDI,
PATHAN WADI,
HONNALI TALUK
DAVANGERE DISTRICT - 577 217
7. SMT SHAHINABI H DAVANGERI
D/O LATE ABDULGANISAB
MANDAKKAI
AGED ABOUT 80 YEARS
R/AT VTC HALIGERE,
HAVERI DISTRICT - 581 208



8. SMT FAJILA
D/O LATE ABDULGANISAB
MANDAKKAI
AGED ABOUT 63 YEARS
R/AT NO.171, 4TH CROSS,
THUNGABHADRA BADAVANE,
HONNALI TALUK,
DAVANGERE DISTRICT - 577 217

...APPELLANTS

(BY SRI. BALAGANGADHAR G S.,ADVOCATE)

AND:

1. SRI SHANKARAPPA FAKKIRAPPA TALWAR
S/O LATE SOMASHEKARAPPA FAKKIRAPPA
AGED ABOUT 80 YEARS,
OCC AGRICULTURIST
R/O DEVAGONDANAKATTI VILLAGE,
RANEBENNUR TALUK,
HAVERI DISTRICT 581208
2. SRI SUBHAS FAKKIRAPPA TALWAR
S/O LATE SOMASHEKARAPPA FAKKIRAPPA
AGED ABOUT 75 YEARS,
OCC AGRICULTURIST
R/O DEVAGONDANAKATTI VILLAGE,
RANEBENNUR TALUK,
HAVERI DISTRICT 581208
3. THE STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY REVENUE
DEPARTMENT, BENGALURU 560 001

...RESPONDENTS

(BY SRI. M.N.SUDEV HEDGE .,AGA FOR R.3)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE
KARNATAKA HIGH COURT ACT PRAYING TO CALL FOR



RECORDS IN WRIT PETITION NO.21019/19922 AND SET ASIDE THE ORDERS PASSED BY THE LEARNED SINGLE JUDGE OF THIS COURT IN WP NO.21019/1992 DATED 14/08/2024 ON INTERLOCUTARY APPLICATIONS.

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

CORAM: HON'BLE MR. JUSTICE D K SINGH
and
HON'BLE MR. JUSTICE T.M.NADAF

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE D K SINGH)

This appeal has been filed impugning the order dated 14.08.2024 passed by the Writ Court in W.P.No.21019/1992 (KLRA). The said writ petition was dismissed for non-prosecution on 03.01.2001.

2. IA No.1/2023 was filed for condonation of delay of 7605 days i.e., almost 20 years from 03.01.2001 whereby the writ petition was dismissed for non-prosecution.

3. Learned Single Judge has devoted considerable time while dismissing IA No.2/2023 for recalling the order dated 03.01.2001.



4. We find no reason to interfere with this appeal against the impugned judgment passed by the learned Single Judge dismissing the application seeking condonation of delay of 7605 days in filing the recall application. Accordingly, this appeal is dismissed, however without costs. Pending IAs are disposed of.

**Sd/-
(D K SINGH)
JUDGE**

**Sd/-
(T.M.NADAF)
JUDGE**

AKC
List No.: 2 Sl No.: 7