



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF FEBRUARY, 2026

PRESENT

THE HON'BLE MR. JUSTICE JAYANT BANERJI

AND

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

REGULAR FIRST APPEAL NO. 739 OF 2013 (PAR)

BETWEEN:

1. SMT. HONNAMMA
W/O LATE GURUSIDDAPPA NAGINAHALLI
AGED ABOUT 68 YEARS
OCCU:HOUSEHOLD
R/O MATTIKOTE VILLAGE
SHIKARIPURA TALUK
SHIMOGA DISTRICT - 577 427
2. KARIBASAMMA
W/O DANNEPPA SUNKADAVARA
AGED ABOUT 46 YEARS
OCCU:HOUSEHOLD
R/O GOGGA VILLAGE
PRESENTLY R/A R/O MATTIKOTE VILLAGE
SHIKARIPURA TALUK
SHIMOGA DISTRICT - 577 427
3. SIDDAPPA
S/O LATE GURUSIDDAPPA NAGINAHALLI
AGED ABOUT 44 YEARS
OCC:AGRICULTURIST
R/O MATTIKOTE VILLAGE
SHIKARIPUR TALUK
SHIMOGA DISTRICT - 577 427
4. NAGARAJA
S/O LATE GURUSIDDAPPA NAGINAHALLI
AGED ABOUT 42 YEARS





NC: 2026:KHC:11355-DB
RFA No. 739 of 2013

OCCU: AGRICULTURIST
R/O MATTIKOTE VILLAGE
SHIKARIPUR TALUK
SHIMOGA DISTRICT – 577 427

...APPELLANTS

[BY SRI. R V JAYAPRAKASH, ADVOCATE
FOR A1, A2 AND A4 (ABSENT);
SRI. HARISH KUMAR M S, ADVOCATE FOR A3 (ABSENT)]

AND:

1. SMT. GADIGEMMA
SINCE DECEASED
REP. BY HER LRS.
- 1 (a) SMT. RENUKAMMA
W/O. SHIVAPPA MANEGAR
AGED ABOUT 48 YEARS
R/O. RATTIHALLI TOWN
HIRIKERUR TALUK
HAVERI DISTRICT – 58116
- 1(b) SRI. SOMU
S/O LATE MARADAPPA HOLEJOGI
AGED ABOUT 46 YEARS
R/O RATTIHALLI TOWN
HIRIKERUR TALUK
HAVERI DISTRICT – 58116
2. SMT. SHANTHAMMA
W/O SHIVALINGAPPA
AGED ABOUT 47 YEARS
OCCU: HOUSEHOLD
R/O MATTIKOTE VILLAGE
SHIKARIPUR TALUK
SHIMOGA DISTRICT – 577 427
3. CHANDRAPPA
S/O MUDYAPPA NAGINAHALLI
AGED ABOUT 50 YEARS
OCCU: AGRICULTURIST
R/O MATTIKOTE VILLAGE
SHIKARIPUR TALUK
SHIMOGA DISTRICT – 577 427



4. BASAVARAJA
S/O KANIVEPPA NAGINAHALLI
AGED ABOUT 42 YEARS
OCCU: AGRICULTURIST
R/O MATTIKOTTE VILLAGE, SHIKARIPUR TALUK
SHIMOGA DISTRICT – 577 427
5. S RAJEEVA
S/O S SHEKARAPPA SHIVAPPA GOWDA
AGED ABOUT 30 YEARS
OCCU: AGRICULTURIST
R/O MATTIKOTE VILLAGE, SHIKARIPUR TALUK
SHIMOGA DISTRICT – 577 427
6. BASAVANNA GOWDA
S/O S SHEKARAPPA SHIVAPPA GOWDA
AGED ABOUT 32 YEARS
OCCU: AGRICULTURIST
R/O MATTIKOTE VILLAGE, SHIKARIPUR TALUK
SHIMOGA DISTRICT – 577 427
7. SRI. JAGADEESH
S/O MALLAPPA
AGED ABOUT 48 YEARS
R/O MATTIKOTE VILLAGE
HOSURU HOBLI, SHIKARIPUR TALUK
SHIMOGA DISTRICT – 577 427
8. RIYAZ KHAN
S/O RAJA KHAN
AGED ABOUT 48 YEARS
R/O AREYORA KERI, SHIKARIPURA TOWN
SHIKARIPURA TALUK
SHIMOGA DISTRICT

...RESPONDENTS

(BY SRI. D NAGARAJ, ADVOCATE FOR R1(a), R1(b) AND R2;
SRI. G M GADILINGAPPA, ADVOCATE FOR R4;
R3, R5 AND R6 – SERVED, UNREPRESENTED;
SRI. GURU PRASAD P., ADVOCATE FOR R7;
SRI. NANDISH PATIL, ADVOCATE FOR R8)

THIS RFA IS FILED U/SEC.96 OF CPC, AGAINST THE
JUDGMENT AND DECREE DATED:19.01.2013 PASSED IN
O.S.NO.23/2011 ON THE FILE OF SENIOR CIVIL JUDGE AND JMFC,



ITINERARY SHIKARIPUR, DECREETING THE SUIT FOR PARTITION AND SEPARATE POSSESSION.

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

CORAM: HON'BLE MR. JUSTICE JAYANT BANERJI
and
HON'BLE MR. JUSTICE T.M.NADAF

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE JAYANT BANERJI)

Despite the matter being called out twice, no one appears. Despite time being granted, no translated copies of the documents have been filed by the appellants. It appears that the appellants are not interested to press the appeal. The appeal is accordingly dismissed for non-prosecution. The interim order, if any, stands vacated.

Sd/-
(JAYANT BANERJI)
JUDGE

Sd/-
(T.M.NADAF)
JUDGE