

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF OCTOBER, 2020

PRESENT

THE HON' BLE MR. JUSTICE B. VEERAPPA

AND

THE HON'BLE MR. JUSTICE K. NATARAJAN

REGULAR FIRST APPEAL No.948/2013 (MON)

BETWEEN:

GUNJUR ANAND VENKATAPPA
S/O VENKATAPPA
AGED ABOUT 39 YEARS
PROP: UNITED ENTERPRISES,
212, AGARA, AGARA POST
BANGALORE-560034.

...APPELLANT

(BY SRI VENKATA REDDY S. K., ADVOCATE (ABSENT))

AND:

- 1 . THE SHAMRAO VITHAL
CO-OPERATIVE BANK LTD.,
A CO-OPERATIVE BANK REGISTERED
UNDER THE CO-OPERATIVE CREDIT
SOCIETIES ACT (X OF 1904) AND
DEEMED TO BE REGISTERED UNDER
THE MULTI STATE CO-OPERATIVE
SOCIETIES ACT, 2002, AND HAVING ITS
REGISTERED OFFICE AT
SVC TOWER, NEHRU ROAD, VAKOLA,
SANTA CRUZ (EAST), MUMBAI-400055.

AND BRANCH AT NO.780,
GROUND FLOOR, 80FT ROAD,
4TH BLOCK, KORAMANGALA,
BANGALORE-34.
REPRESENTED BY ITS
AUTHORISED SIGNATORY,
MR. SHEKAR S. UPPONI,
BRANCH MANAGER

- 2 . VASANTH MADHAV B.,
S/O BALASUBRAMANIAM T.S.
AGE: MAJOR
R/AT #2 SOUPARNIKA,
1ST CROSS, 2ND BLOCK,
VISHWAPRIYA LAYOUT,
BEGUR, BANGALORE-560058.

...RESPONDENTS

(BY SRI N. JAIPRAKASH RAO, ADVOCATE FOR JAYPEE
ASSOCIATES FOR R1(ABSENT);
R2 IS SERVED BUT UNREPRESENTED)

THIS REGULAR FIRST APPEAL IS FILED UNDER
SECTION 96 READ WITH ORDER 41 RULE 1 OF THE CODE
OF CIVIL PROCEDURE, 1908, PRAYING TO SET ASIDE THE
JUDGMENT AND DECREE, DATED 12.03.2013 PASSED IN
O.S. No.6895/2006, BY THE X ADDITIONAL CITY CIVIL &
SESSIONS JUDGE, BANGALORE, WHICH IS IMPUGNED IN
THIS APPEAL BY ALLOWING THE ABOVE APPEAL OF THE
APPELLANT.

THIS REGULAR FIRST APPEAL COMING ON FOR
HEARING THIS DAY, **B.VEERAPPA, J**, DELIVERED THE
FOLLOWING:

JUDGMENT

When the matter was posted on 09.10.2020, none appeared for the appellant. In the interest of justice, the matter was adjourned.

2. Today, though matter is listed from the advance list and called out twice, none appears for the appellant.

3. The matter is of the year 2013 and since the learned counsel is not showing any interest to contest the matter, we have no other option except to dismiss the appeal for non prosecution.

4. Accordingly, the Regular First Appeal is ***dismissed*** for non prosecution.

**Sd/-
JUDGE**

**Sd/-
JUDGE**

kcm