

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

ON THE 4TH DAY OF AUGUST 2015

BEFORE

THE HON'BLE MR.JUSTICE RAVI MALIMATH

REGULAR FIRST APPEAL NO.1243 OF 2003

BETWEEN:

1. SMT.NAVANEETHAMMA
W/O LATE THIPPAIAH
AGED ABOUT 88 YEARS
2. SRI T.NARAYANAPPA
SINCE DEAD BY HIS LRs
- *2a. SMT.GOWRAMMA
W/O LATE T.NARAYANAPPA,
HINDU,
AGED ABOUT 63 YEARS.
- 2b. SRI N.SHIVARUDRAPPA
S/O LATE T.NARAYANAPPA
HINDU,
AGED ABOUT 44 YEARS.
- 2c. SRI N.NAGARAJ
S/O LATE T.NARAYANAPPA
HINDU,
AGED ABOUT 38 YEARS.
- 2d. SRI N.JAGADISH
S/O LATE T.NARAYANAPPA
HINDU,
AGED ABOUT 32 YEARS

1, 2(a) TO 2(d) ARE RESIDING AT
MYLASANDRA VILLAGE,
R.V.COLLEGE POST,
Kengeri Hobli,
BENGALURU SOUTH TALUK,
BENGALURU – 560 059.

2e. SMT.N.VIJAYA
D/O LATE T.NARAYANAPPA
W/O SRI N.NARAYANASWAMY,
HINDU,
AGED ABOUT 35 YEARS,
RESIDING AT BANDE,
BOMMASANDRA,
DODDAGUBBI POST,
BIDARAHALLI HOBBI,
BENGALURU EAST TALUK,
BENGALURU – 562 149.

*AMENDMENT CARRIED OUT AS PER ORDER DATED
19.6.2010.

3. SRI T.KRISHNAPPA
S/O LATE THIPPAIAH,
HINDU,
AGED ABOUT 60 YEARS
4. SRI T.NARASIMHA MURTHY
S/O LATE THIPPAIAH,
HINDU,
AGED ABOUT 53 YEARS

APPELLANTS 3 AND 4 ARE
RESIDING AT
MYLASANDRA VILLAGE,
Kengeri Hobli,
BENGALURU SOUTH TALUK,

BENGALURU – 560 059.

... APPELLANTS

(BY SRI S.GANGADHAR AITHAL, ADVOCATE-ABSENT)

AND :

SRI NARAYANAPPA
S/O CHIKKA VENKATARAMANAPPA
HINDU,
AGED ABOUT 75 YEARS,
MYLASANDRA VILLAGE,
Kengeri Hobli,
BENGALURU SOUTH TALUK,
BENGALURU – 560 059.

*SINCE DEAD BY HIS LRs

1. SRI HANUMANTHAPPA
S/O LATE C.NARAYANAPPA
AGED ABOUT 50 YEARS,
RESIDING AT
MYLASANDRA VILLAGE,
Kengeri Hobli,
BENGALURU SOUTH TALUK,
BENGALURU – 560 059.
2. SRI RANGASWAMY
S/O LATE C.NARAYANAPPA
AGED ABOUT 47 YEARS,
RESIDING AT R.V.LAYOUT,
MYLASANDRA VILLAGE,
R.V.COLLEGE POST,
Kengeri Hobli,
BENGALURU SOUTH TALUK,
BENGALURU – 560 059.
3. SRI RAMESHA
S/O LATE C.NARAYANAPPA

AGED ABOUT 44 YEARS,
RESIDING AT BALAJI LAYOUT
MYLASANDRA VILLAGE,
Kengeri Hobli,
BENGALURU SOUTH TALUK,
BENGALURU – 560 059.

4. SMT.AMMAYAMMA
W/O NARASIMHAMURTHY,
AGED ABOUT 42 YEARS,
RESIDING AT GAVIPURA,
K.GALAHALLI POST,
Kengeri Hobli,
BENGALURU SOUTH TALUK,
BENGALURU – 560 060.

5. SRI NAGARAJA
S/O LATE C.NARAYANAPPA
AGED ABOUT 36 YEARS,
RESIDING AT R.V.COLLEGE POST,
BEML 7TH STAGE,
MYLASANDRA VILLAGE,
Kengeri Hobli,
BENGALURU SOUTH TALUK,
BENGALURU – 560 059.

... RESPONDENTS

*AMENDMENT CARRIED OUT AS PER ORDER DATED
19.2.2013.

(BY SRI C.LAKSHMINARAYANA RAO, ADVOCATE)

THIS RFA IS FILED UNDER SECTION 96 OF CPC
AGAINST THE JUDGMENT AND DECREE DATED 18.8.2003
PASSED IN O.S.NO.5284/93 ON THE FILE OF THE V ADDL.
CITY CIVIL JUDGE, BENGALURU CITY, CCH.NO.13,
DECREETING THE SUIT FOR PERMANENT INJUNCTION.

THIS RFA COMING ON FOR HEARING THIS DAY, THE COURT DELIVERED THE FOLLOWING:

JUDGMENT

None appears for the appellants, nor any representation is made, even though the matter is called on two occasions.

2. The suit is of the year 1993 and the appeal is of the year 2003. It is apparent that the appellants' counsel is not interested in prosecuting the appeal.

Consequently, the appeal is dismissed for non-prosecution.

SD/-
JUDGE

JJ