



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 26TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MRS. JUSTICE K.S. HEMALEKHA

REGULAR SECOND APPEAL NO.981 OF 2010 (PAR)

BETWEEN:

K.A. RAMASWAMY
S/O LATE ASHWATHAIAH
SINCE DEAD BY L.Rs.
APPELLANTS 1 TO 8

(CAUSE TITLE AMENDED VIDE
ORDER DATED 12/09/2012)

1. SMT. SATHYABHAMA
W/O LATE K.A. RAMASWAMY,
SINCE DEAD BY L.Rs. APPELLANTS NO.2 TO 8

(CAUSE TITLE AMENDED VIDE
ORDER DATED 25/02/2016)

2. SMT. K.R. PARVATHI
W/O S.N. MANJUNATHA,
AGED ABOUT 54 YEARS,
RESIDING AT SRI HARSHITHA NILAYA,
NEAR WATER TANK, JAYANAGARA,
CHIKKAHONNENAHALLI,
HASSAN TOWN.
3. SMT. K.R. SAVITHRI
W/O LATE C.R. PRASAD,
AGED ABOUT 52 YEARS,
RESIDING AT LAKSHMINARASIMHA NILAYA,
AGRAHARA, CHAMARAJANAGARA TOWN.
4. K.R. RAVIKUMARA
S/O LATE K.A. RAMASWAMY,
AGED ABOUT 48 YEARS,
RESIDING AT NO.28, 13TH MAIN,





NEAR RING ROAD, 4TH BLOCK,
NANDINI LAYOUT, BANGALORE.

5. K.R. PRAKASHA
S/O LATE K.A. RAMASWAMY,
AGED ABOUT 44 YEARS,
RESIDING AT KALYADI,
ARSIKERE TALUK,
HASSAN DISTRICT.
6. SMT. K.R. SRILAKSHMI
W/O K. SRINIVASA,
AGED ABOUT 42 YEARS,
RESIDING AT NO.18, 6TH CROSS,
SRIRAMA LAYOUT,
JNANAJYOTHINAGARA,
BANGALORE.
7. SMT. K.R. SWARNAMBHA
W/O N.B. RAVISH,
AGED ABOUT 40 YEARS,
RESIDING AT NO.279, VIDYUTH NAGARA,
SALAGAME ROAD,
OPP: M.C.E., HASSAN TOWN.
8. K.R. VASUDEVAMURTHY
S/O LATE K.A. RAMASWAMY,
AGED ABOUT 38 YEARS,
RESIDING AT NO.48/53, 6TH MAIN,
6TH CROSS, SRIRAMA LAYOUT,
JNANAJYOTHINAGARA, BANGALORE.

...APPELLANTS

(BY SRI A.V. GANGADHARAPPA, ADV. FOR APPELLANT NOS.2 TO 8)

AND:

1. A. NAGESHAIAH
S/O LATE ASHWATHAIAH,
SINCE DEAD BY L.Rs.
RESPONDENTS 1(A) TO (C)

(CAUSE TITLE AMENDED VIDE
COURT ORDER DATED 25.06.2014)



- 1(a) SMT. ANANTHALAKSHMI
W/O LATE A. NAGESHAIAH,
SINCE DEAD BY L.Rs.
RESPONDENTS NO.1(b) & 1(c)

(CAUSE TITLE AMENDED VIDE
ORDER DATED 25/04/2018)

- 1(b) SRINIVAS MURTHY
S/O LATE A. NAGESHAIAH,
AGED ABOUT 35 YEARS,
RESIDING AT SAPTAGIRI NILAYA,
BETWEEN 10TH & 11TH CROSS,
11TH MAIN, OPP. TO WATER TANK,
VENKATAPPA LAYOUT,
HOSAKEREHALLI, BANGALORE.
- 1(c) SMT. SAVITHA, W/O SREEKANTH,
AGED ABOUT 33 YEARS,
RESIDING AT NO.38, 4TH CROSS,
P.F. LAYOUT, VIJAYANAGARA,
BANGALORE-560040.
2. SMT. SHANTALAXMI
W/O LATE KRISHNAMURTHY,
AGED ABOUT 60 YEARS,
R/AT NO.47, 1ST FLOOR, I MAIN,
1ST CROSS, NEW KEMPEGOWDA LAYOUT,
BANASHANKARI III STAGE,
BANGALORE-560085.
3. B.K. SATISHA
S/O LATE KRISHNAMURTHY,
R/AT 4TH CROSS, SRIRAMANAGARA,
AGED ABOUT 43 YEARS,
ITTAMADU, BANASHANKARI III STAGE,
BANGALORE-560085.
4. B.K. RAMESH
S/O LATE KRISHNAMURTHY,
AGED ABOUT 40 YEARS,
R/AT NO.47, 1ST FLOOR, I MAIN,
1ST CROSS, NEW KEMPEGOWDA LAYOUT,
BANASHANKARI III STAGE,
BANGALORE-560085.



5. SMT. HONNAMMA
W/O KHANDYAPPA,
AGED ABOUT 80 YEARS,
R/AT NO.816, HINDU NARAYANA HOUSE,
KEMPEGOWDA EXTENSION,
BANASHANKARI III STAGE,
BANGALORE-560085.
6. SMT. MANJAMMA
W/O B.V. KRISHNAPPA,
AGED ABOUT 78 YEARS,
R/AT SRI LAKSMI NARASIMHA NILAYA,
C/O GOPALASWAMY,
NO.19, SHIVAPPA NAYAKA COLONY,
1ST MAIN, 3RD CROSS, ALKALA,
SHIMOGA TOWN-577201.
7. JAYAMMA
W/O LATE B.V. GUNDAPPA,
AGED ABOUT 66 YEARS,
R/AT NO.32, AMBABHAVANI NILAYA,
4TH MAIN, BSK III STAGE,
ITTAMADU, BANGALORE-570 085.

(APPEAL AGAINST R7 IS DIMISSED
VIDE ORDER DATED 30/05/2012)

8. K.M. HIRIYANNAIAH S/O MYLARAIAH,
AGED ABOUT 50 YEARS,
R/AT KALYADI, JAVAGAL HOBLI,
ARSIKERE TALUK,
HASSAN DISTRICT-573 103
PRESENTLY WORKING AT KALYADI
ENGINEERING (P) LTD., 1ST FLOOR,
NO.12, KAMATH INDUSTRIAL COMPLEX,
PLOT NO.83, GENERAL BLOCK,
TELCO ROAD, MLDC BHOSARI, PUNE,
MAHARASTRA STATE-411001.

...RESPONDENTS

(BY SRI KUMAR & KUMAR, ADVOCATE FOR R-1 (B & C)
SRI ANOOP HARANAHALLI FOR M/S ASHOK HARANAHALLI
ASSOCIATES, ADVOCATES, FOR R-8,
APPEAL AGAINST R-7 DISMISSED V/O. DATED 30.05.2012
NOTICES TO R-2 TO R-6 ARE SERVED AND UNREPRESENTED)



THIS RSA IS FILED UNDER ORDER 100 OF CPC AGAINST THE JUDGMENT AND DECREE DATED 22.12.2009 PASSED IN R.A.NO.14/2006 ON THE FILE OF THE CIVIL JUDGE (SR.DN.) & ADDL. CJM., ARSIKERE, DISMISSING THE APPEAL AND CONFIRMING THE JUDGMENT AND DECREE DATED 03.12.2005 PASSED IN O.S.NO.112/2004 ON THE FILE OF THE PRL. CIVIL JUDGE (JR.DN.) & JMFC., ARSIKERE.

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

CORAM: HON'BLE MRS. JUSTICE K.S. HEMALEKHA

ORAL JUDGMENT

On 13.03.2026, this Court passed the following order :

*"There is no representation for the appellant.
Learned counsel for the respondents is present.*

*List this matter under the caption '**Dismissal**'
on 26.03.2026. In the event, there is no
representation by the counsel on the next date of
hearing, the appeal shall stand dismissed."*

The matter is listed today under the caption '**dismissal**'. There is no representation on behalf of the appellants. The appeal is of the year 2010. It appears that the appellants are not interested in prosecuting the



appeal. Therefore, this Court has no option but to dismiss the appeal for non-prosecution. Accordingly, the appeal is ***dismissed for non-prosecution.***

Sd/-

JUSTICE K.S. HEMALEKHA

CKL
List No.: 1 Sl No.: 46