



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE E.S.INDIRESH

REGULAR SECOND APPEAL NO. 1413 OF 2009 (RES)

BETWEEN:

1. SUBBARAYAPPA
SINCE DECEASED REP. BY LRS.

1(a). S. MUNIANJINAPPA
S/O LATE SUBBARAYAPPA
AGED ABOUT 55 YEARS
R/AT DEVAGANAHALLI
KUNDANA HOBLI
DEVANAHALLI TALUK - 562 110
BENGALURU RURAL DISTRICT.

1(b). NAGARAJ
S/O LATE SUBBARAYAPPA
AGED ABOUT 50 YEARS
R/AT DEVAGANAHALLI
KUNDANA HOBLI
DEVANAHALLI TALUK - 562 110
BENGALURU RURAL DISTRICT.

1(c). KRISHNAPPA
S/O LATE SUBBARAYAPPA
AGED ABOUT 48 YEARS
R/AT DEVAGANAHALLI
KUNDANA HOBLI
DEVANAHALLI TALUK - 562 110
BENGALURU RURAL DISTRICT.

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CHAYA S A
Location: HIGH
COURT OF
KARNATAKA



1(d). BYREGOWDA
S/O LATE SUBBARAYAPPA
AGED ABOUT 46 YEARS
R/AT DEVAGANAHALLI
KUNDANA HOBLI
DEVANAHALLI TALUK - 562 110
BENGALURU RURAL DISTRICT.

...APPELLANTS

(BY SRI. V. ANAND AND SRI. MAHESH H.V., ADVOCATES
FOR A1(a);
SRI. T K RAJAGOPALA, ADVOCATE FOR A1(b) TO 1(d))

AND:

1. K. KRISHNAPPA
S/O KEMPANNA
AGED ABOUT 65 YEARS
R/A SY.NO.45/1, DODDAGOLLAHALLI,
DEVANAHALLI ,
BANGALORE RURAL DISTRICT.

...RESPONDENT

(BY SRI. S.V. SRINIVAS, ADVOCATE)

THIS RSA IS FILED UNDER SECTION 100 OF CPC
AGAINST THE JUDGMENT AND DECREE DATED 14.07.2009
PASSED IN RA.NO.185/2007 ON THE FILE OF THE PRL.
DISTRICT JUDGE, BANGALORE RURAL DISTRICT, BENGALURU ,
ALLOWING THE APPEAL AND SETTING ASIDE THE JUDGMENT
AND DECREE DATED 14.11.2007 PASSED IN OS.NO.226/2006
ON THE FILE OF THE CIVIL JUDGE (SR.DN) & JMFC.,
DEVANAHALLI.

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



CORAM: HON'BLE MR. JUSTICE E.S.INDIRESH

ORAL JUDGMENT

Matter was heard in the morning session.

No representation is made on behalf of the appellant during the post lunch session.

Learned counsel for the respondent is present.

The appeal is dismissed for non prosecution.

SD/-
(E.S.INDIRESH)
JUDGE

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List No.: 1 Sl No.: 34