



IN THE HIGH COURT OF KARNATAKA, DHARWAD BENCH

DATED THIS THE 21ST DAY OF AUGUST, 2025

BEFORE

THE HON'BLE MR. JUSTICE G BASAVARAJA

REGULAR SECOND APPEAL NO. 100101 OF 2024

BETWEEN:

1. SMT. SAROJAVVA W/O. HANAMARADDI HULAKOTI
AGE: 73 YEARS, OCC. AGRICULTURE,
R/O. MACHENAHALLI,
TQ. SHIRAHATTI, DIST. GADAG-582120.
2. SMT. ANNAKKA @ ANNAPURNA
W/O. KRISTARADDI NAGANUR
AGE: 68 YEARS, OCC. AGRICULTURE,
R/O. KADAMPUR,
TQ. MUNDARAGI, DIST. GADAG-582103.
3. MANJUNATHARADDI S/O. RAGHUNATHARADDI NAGANUR
AGE: 47 YEARS, OCC. AGRICULTURE,
R/O. SAMBHAPUR,
TQ. AND DIST. GADAG-582115.
4. VENKARADDI S/O. RAGHUNATHARADDI NAGANUR
AGE: 35 YEARS, OCC. AGRICULTURE,
R/O. SAMBHAPUR,
TQ. AND DIST. GADAG 582115.
5. SMT. GEETA @ SANGEETA W/O. SHRIKANTRADDI
MADALLI
(D/O. RAGHUNATHARADDI NAGANUR)
AGE: 32 YEARS, OCC. HOUSEHOLD WORK,
R/O. SAMBHAPUR,
TQ. AND DIST. GADAG 582112.

...APPELLANTS

(BY SRI. DINESH M. KULKARNI, ADVOCATE)

AND:

1. NARAYANARADDI S/O. RAMARADDI HADAGALI
CLAIMING AS ADOPTED SON OF TAYAVVA,



AGE: 52 YEARS, OCC. PRIVATE JOB,
R/O. VADAVI HOSUR,
TQ. SHIRAHATTI, DIST. GADAG-582112.

2. SMT. DEVAKKA W/O. SOMARADDI MULIMANI
AGE: 89 YEARS, OCC. AGRICULTURE,
R/O. MACHENAHALLI,
TQ. SHIRAHATTI, DIST. GADAG-582120.
3. SMT. PADMAVVA W/O. VENKARADDI MULIMANI
AGE: 60 YEARS, OCC. AGRICULTURE,
R/O. MACHENAHALLI,
TQ. SHIRAHATTI, DIST. GADAG-582120.
4. SHAMBUNATH S/O. VENKARADDI MULIMANI
AGE: 30 YEARS, OCC. PRIVATE JOB,
R/O. MACHENAHALLI,
TQ. SHIRAHATTI, DIST. GADAG-582120.
5. BASAVARAJ S/O. VENKARADDI MULIMANI
AGE: 28 YEARS, OCC. PRIVATE JOB,
R/O. MACHENAHALLI,
TQ. SHIRAHATTI, DIST. GADAG-582120.
6. VINAYAK S/O. VENKARADDI MULIMANI
AGE: 23 YEARS, OCC. AGRICULTURE,
R/O. MACHENAHALLI,
TQ. SHIRAHATTI, DIST. GADAG-582120.
7. SHANTARADDI S/O. SOMARADDI MULIMANI
AGE: 54 YEARS, OCC. AGRICULTURE,
R/O. MALLESHWARAM,
BANGALORE 560003,
NOW R/O. MACHENAHALLI,
TQ. SHIRHATTI, DIST. GADAG-582120.
8. RAMESHARADDI S/O. SOMARADDI MULIMANI
AGE: 54 YEARS, OCC. AGRICULTURE,
R/O. MACHENAHALLI,
TQ. SHIRAHATTI, DIST. GADAG-582120.

...RESPONDENTS

(BY SRI. H.R. GUNDAPPA AND SRI. RAVI N. CHIKKARADDER,
ADVOCATES)



THIS RSA IS FILED UNDER SECTION 100 OF CPC, PRAYING TO, SET ASIDE THE JUDGMENT AND DECREE PASSED BY THE SR. CIVIL JUDGE AND JMFC, LAXMESHWAR IN R.A.NO.4/2023 DATED 22.11.2023 AND ORDER PASSED BY THE CIVIL JUDGE AND JMFC, SHIRAHATTI ON I.A.NO.3 IN EXECUTION CASE NO.16/2019 DATED 23.09.2022 AS NULL AND VOID AND ALLOW I.A.NO.3 U/O 21 RULE 97 OF CPC FILED BY THE THIRD PARTY APPLICANTS IN EXECUTION CASE NO.16/2019 AND TO PASS ANY OTHER ORDERS THIS COURT DEEMS FIT IN THE INTEREST OF JUSTICE AND EQUITY.

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

ORAL JUDGMENT

(PER: THE HON'BLE MR. JUSTICE G BASAVARAJA)

Learned counsel for the appellants has filed memo dated 20.08.2025, in which, it is stated as under :

"In this the Advocate for appellants begs to submit this memo as under :

That, the appellants have preferred RFA No.100133/2024 in respect of subject matter of present appeal. The same is still pending. The parties in both appeals are one and same. Hence, the appellants have no interest to proceed with present second appeal.



**NC: 2025:KHC-D:10617
RSA No. 100101 of 2024**

Hence, the top noted case RSA.No.100101/2024
may please be disposed off as not pressed in the
ends of justice and equity."

3. In view of memo dated 20.08.2025, appeal is
dismissed as not pressed.

**Sd/-
(G BASAVARAJA)
JUDGE**

CKK
LIST NO.: 1 SL NO.: 7