



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 24TH DAY OF MARCH, 2026

PRESENT

THE HON'BLE MR. JUSTICE H.P.SANDESH

AND

THE HON'BLE MR. JUSTICE B. MURALIDHARA PAI

REGULAR FIRST APPEAL NO.100110 OF 2016 (DEC/INJ-)

BETWEEN:

1. RAMESH S/O. KRISHNAPPA SHABAD,
AGE: 42 YEARS, OCC. BUSINESS,
R/O. BANASHANKARI EXTENSION, KESHWAPUR,
HUBBALLI, DIST. DHARWAD-580001.
2. GIRIDHARLAL S/O. WAGMAL BAFNA,
AGE: 49 YEARS, OCC. BUSINESS,
R/O. DESHPANDE NAGAR, HUBBALLI,
DIST. DHARWAD-580001.

- APPELLANTS

(BY SRI. RAJENDRA R. PATIL FOR SRI. F.V. PATIL AND
SRI. VIJYENDRA S. BHIMAKKANAVAR, ADVOCATES)

AND:

SMT. MAHARUNNISA W/O. KHADARKHAN PATIL,
AGE: 76 YEARS, R/O. NADI NEERALAGI,
TQ. SAVANUR, DIST. HAVERI-581115.

- RESPONDENT

(BY SRI. D.L. LADKHAN, ADVOCATE)

THIS R.F.A. IS FILED UNDER SECTION 96 OF CPC PRAYING TO
SET-ASIDE THE IMPUGNED COMMON JUDGMENT AND DECREE DATED
28.10.2015 PASSED BY THE COURT OF III ADDITIONAL SENIOR CIVIL
JUDGE, HUBBALLI, IN SO FAR AS O.S.NO.372/2012 IN PARTLY
DECREEING THE SUIT OF THE PLAINTIFF AND ETC.

THIS R.F.A. COMING ON FOR ORDERS THIS DAY, ORDER WAS
PASSED THEREIN AS UNDER:

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VINAYAKA
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CORAM: THE HON'BLE MR. JUSTICE H.P.SANDESH
AND
THE HON'BLE MR. JUSTICE B. MURALIDHARA PAI

ORAL ORDER

(PER: HON'BLE MR. JUSTICE H.P.SANDESH)

The counsel appearing for the appellant would submit that the address which is given in the appeal memo is the address that is furnished by the appellants while filing the appeal and notice was also sent. This Court having compared the signature found that the signature is different in vakkalath and also in the acknowledgment. This Court also takes note that except mentioning "resident of Deshpande Nagar" no other details of house address is found in the letter addressed to the appellant No.2. Hence this Court directed to send notice to the proper address and notify the same to the appellant no. 2. Further, the appellant no. 1 is also no more. It is clear that appellant no. 2 is also not pursuing the matter with the counsel appearing for the appellant and counsel for the appellant also would submit that in view of non-co-operation by the appellant no. 2, the appeal may be dismissed.



**NC: 2026:KHC-D:4544-DB
RFA No. 100110 of 2016**

In view of the above, the Regular First Appeal is dismissed
for non-prosecution

**SD/-
(H.P.SANDESH)
JUDGE**

**SD/-
(B. MURALIDHARA PAI)
JUDGE**

BVV
CT:PA
LIST NO.: 1 SL NO.: 1