



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 25TH 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.100208 OF 2018 (PAR/POS-)

BETWEEN:

1. SMT. MALLAWWA W/O. MALLESHAPPA BAMMIGATTI,
AGE: 79 YEARS, OCC. HOUSEHOLD,
R/O. HIREHONNALLI-581225, TQ. KALGHATAGI,
DIST. DHARWAD.
2. SHRI RAMAPPA MALLESHAPPA BAMMIGATTI
AGE: 39 YEARS, OCC. AGRICULTURE,
R/O. HIREHONNALLI-581225,
TQ. KALGHATAGI, DIST. DHARWAD.
3. SMT.CHANNAWWA W/O. CHENNAPPA KOTAGUNSI,
AGE: 43 YEARS, OCC. HOUSEHOLD,
R/O. HIREHONNALLI-581225,
TQ. KALGHATAGI, DIST. DHARWAD.
4. SHRI PRABHULINGAPPA S/O. MALLESHAPPA BAMMIGATTI,
AGE: 47 YEARS, OCC. AGRICULTURE,
R/O. HIREHONNALLI-581225,
TQ. KALGHATAGI, DIST. DHARWAD.

- APPELLANTS

(BY SRI. SHEKHARGOUDA M. NAGANURI, ADVOCATE)

AND.

SMT. PARVATEWA W/O. VIRUPAXAPPA KOTAGUNSHI,
SINCE DECEASED BY HER LRS,

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1. SHRI PRABHU VIRUPAXAPPA KOTAGUNASI,
AGE: 39 YEARS, OCC. AGRICULTURE,
R/O. HIREHONNALLI-581225,
TQ. KALGHATAGI, DIST. DHARWAD.
2. SHANKRAPPA VIRUPAXAPPA KOTAGUNASI,
AGE: 36 YEARS, OCC. AGRICULTURE,
R/O. HIREHONNALLI-581225,
TQ. KALGHATAGI, DIST. DHARWAD.
- 2A. SMT. MAHADEVI W/O. SHANKRAPPA KOTAGUNASI,
AGE: 47 YEARS, OCC. HOUSEHOLD WORK,
R/O. HIREHONNALLI-581225,
TQ. KALGHATAGI, DIST. DHARWAD.
- 2B. SMT. KAVYA W/O. ASHOK BABAJI,
AGE: 27 YEARS, OCC. HOUSEHOLD WORK,
R/O. HIREHONNALLI-581225,
TQ. KALGHATAGI, DIST. DHARWAD.
- 2C. SMT. VIJAYLAXMI W/O. MANJUNATH BALAGALLI,
AGE: 25 YEARS, OCC. HOUSEHOLD WORK,
R/O. HIREHONNALLI-581225,
TQ. KALGHATAGI, DIST. DHARWAD.
- 2D. SHRI SIDDHAROOD S/O.SHANKRAPPA KOTAGUNASI,
AGE: 21 YEARS, OCC. AGRICULTURE,
R/O. HIREHONNALLI-581225,
TQ. KALGHATAGI, DIST. DHARWAD.
3. SMT. SUMANGALA W/O. GURAPPA SIDDARANNAVAR,
AGE: 31 YEARS, OCC. HOUSEHOLD,
R/O. HIREHONNALLI-581225,
TQ. KALGHATAGI, DIST. DHARWAD.
4. SMT.SUMITRA W/O. GURUSIDDAPPA CHEPPARAMANI,
AGE: 26 YEARS, OCC. HOUSEHOLD,
R/O. UNKAL-HUBBALLI-580031,
DIST. DHARWAD.
5. SMT. MAHADEVI W/O. FAKKIRAPPA BASARIKOPPA,
AGE: 70 YEARS, OCC. HOUSEHOLD,
R/O. HIREHONNALLI-581225,
TQ. KALGHATAGI, DIST. DHARWAD.



6. SMT. CHENNAVVA W/O. MUDAKAPPA MIKITANAVAR,
AGE: 57 YEARS, OCC. HOUSEHOLD,
R/O. BISANALLI-581225,
NOW R/AT. HIREHONNALLI-581225,
TQ. KALGHATAGI, DIST. DHARWAD.
7. SHRI SOMALINGAPPA BASAPPA BAMMIGATTI
AGE: 53 YEARS, OCC. AGRICULTURE,
R/O. HIREHONNALLI-581225,
TQ. KALGHATAGI, DIST. DHARWAD.

- RESPONDENTS

(BY SRI.S.R. HEDGE AND SRI. P.K.SANNINGAMMANAVAR,
ADVOCATES FOR R1, R2 (A TO D), R3 TO R6);
R7-ABATED;
NOTICE ISSUED TO PROP. R7 (A, B, C) ARE SERVED
SERVICE OF NOTICE TO R7(A TO C) IS HELD SUFFICIENT)

THIS REGULAR FIRST APPEAL IS FILED UNDER SECTION 96 OF
CPC. PRAYING TO SET ASIDE THE JUDGMENT AND DECREE DATED
16.01.2016 PASSED BY THE III ADDITIONAL SENIOR CIVIL JUDGE,
HUBBALLI, (ITINARY COURT OF KALGHATAGI) IN O.S. NO. 28/2010
AND ETC.

THIS REGULAR FIRST APPEAL, COMING ON FOR FINAL
HEARING, THIS DAY, ORDER WAS PASSED THEREIN AS UNDER:

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 appellant counsel is absent. This Court also noted that yesterday also the counsel for appellant was absent and hence ordered to post the matter to this day. This Court, by order dated 12.03.2026 imposed costs of ₹1,000/- each for non-amendment of caste title and for non-filing of copy of the amended caste title, payable by the appellants in the registry by the next date of hearing, failing which, it was made clear that the appeal will be dismissed for non-prosecution. In spite of the observation of this Court, appellant counsel is not pursuing the matter diligently. The appeal is of the year 2018. Even though an opportunity is given in the ends of justice, the counsel did not turn up. Hence the appeal is dismissed in pursuance of the order passed by this court on 12.03.2026.

SD/-
(H.P.SANDESH)
JUDGE

SD/-
(B. MURALIDHARA PAI)
JUDGE