



**IN THE HIGH COURT OF KARNATAKA, AT DHARWAD**

**DATED THIS THE 26<sup>TH</sup> DAY OF FEBRUARY, 2026**

**BEFORE**

**THE HON'BLE DR. JUSTICE K.MANMADHA RAO**

**REGULAR FIRST APPEAL NO. 100650 OF 2022 (PAR/POS)**

**BETWEEN:**

1. SHRI. SMT. LALITA W/O MALLESHI KUMABARKOPPA  
AGE. 59 YEARS, OCC. AGRICULTURE,  
R/O. KAKKERI VILLAGE,  
TQ. KHANAPUR, DIST. BELGAUM.
2. SHRI. NAMDEVA S/O PARSHURAM JAVALEKAR  
AGE. 54 YEARS, OCC. AGRICULTURE,  
R/O. DESAI GALLI, HALIYAL,  
TQ. HALIYAL, DIST. UTTAR KANNADA.
3. SMT. GULABI W/O VAIJU JUNDRE,  
AGE. 51 YEARS, OCC. HOUSEWIFE,  
R/O. MARUTI NAGAR, DANDELI,  
TQ. HALIYAL, DIST. UTTAR KANNADA.
4. SMT. NIGAVVA W/O ASHOKA MORE,  
AGE. 52 YEARS, OCC. HOUSEWIFE,  
R/O. TIMMAPUR, TQ. HALIYAL,  
DIST. UTTAR KANNADA.
5. SMT. VANITA W/O ASHOKA MORE,  
AGE. 50 YEARS, OCC. HOUSEWIFE,  
R/O. DESAI GALLI, HALIYAL,  
TQ. HALIYAL, DIST. UTTAR KANNADA.
6. SHRI. LAXMAN S/O MAHADEVA JAVALEKAR,  
AGE. 49 YEARS, OCC. AGRICULTURE,  
R/O. DESAI GALLI, HALIYAL,  
TQ. HALIYAL, DIST. UTTARA KANNADA.
7. SHRI. RAMA S/O MAHADEVA JAVALEKAR,  
AGE. 46 YEARS, OCC. AGRICULTURE,  
R/O. DESAI GALLI, HALIYAL,  
TQ. HALIYAL, DIST. UTTARA KANNADA.
8. SHRI. MARUTI SAHADEVA JAVALEKAR,





- AGE. 56 YEARS, OCC. AGRICULTURE,  
R/O. DESAI GALLI, HALIYAL,  
TQ. HALIYAL, DIST. UTTARA KANNADA.
9. SMT. LAXMI W/O SHIVAJI WALEKAR,  
AGE. 50 YEARS, OCC. HOUSEWIFE,  
R/O. SAKKANAKOPPA VILLAGE,  
HALIYAL, TQ. HALIYAL,  
DIST. UTTARA KANNADA.
10. SMT. SUNITA W/O CHIKKANAGOUDA PATIL,  
AGE. 48 YEARS, OCC. HOUSEWIFE,  
R/O. DEVAGIRI VILLAGE,  
TQ AND DIST. DHARWAD.
11. SMT. JYOTI W/O ANIL PATIL,  
AGE. 39 YEARS, OCC. HOUSEWIFE,  
R/O. PUR VILLAGE, TQ. KHANAPUR,  
DIST. BELAGUM.
12. SHRI. AVINASH S/O NAKUL JAVALEKAR,  
AGE. 36 YEARS, OCC. AGRICULTURE,  
R/O. DESAI GALLI, HALIYAL,  
TQ. HALIYAL, DIST. UTTARA KANNADA.
13. SMT. BHARATI W/O NAKUL JAVALEKAR,  
AGE. 29 YEARS, OCC. AGRICULTURE,  
R/O. DESAI GALLI, HALIYAL,  
TQ. HALIYAL, DIST. UTTARA KANNADA.
14. NETRAVATI D/O NAKUL JAVELKAR,  
AGE. 29 YEARS, OCC. AGRICULTURE,  
R/O. DESAI GALLI, HALIYAL, TQ. HALIYAL,  
DIST. UTTARA KANNADA.

...APPELLANTS

(BY SRI. SANTOSH B. MALLIGAWAD, ADVOCATE)

**AND:**

1. SMT. PARASHURAM S/O KEDAR JAVALEKAR  
AGE. 79 YEARS, OCC. AGRICULTURE,  
R/O. DESAI GALLI, HALIYAL,  
TQ. HALIYAL, DIST. UTTARA KANNADA.



2. SHRI. MAHADEVA S/O KEDAR JAVALEKAR  
AGE. 75 YEARS, OCC. AGRICULTURE,  
R/O. DESAI GALLI, HALIYAL,  
TQ. HALIYAL, DIST. UTTARA KANNADA.
3. SHRI. SAHADEVA S/O KEDAR JAVALEKAR,  
AGE. 72 YEARS, OCC. AGRICULTURE,  
R/O. DESAI GALLI, HALIYAL,  
TQ. HALIYAL, DIST. UTTARA KANNADA.
4. SHRI. NAKUL S/O KEDAR JAVALEKAR  
AGE. 70 YEARS, OCC. AGRICULTURE,  
R/O. DESAI GALLI, HALIYAL,  
TQ. HALIYAL, DIST. UTTARA KANNADA.
5. SMT. GANGAVVA W/O PARASHURAM JAVALEKAR  
AGE. 69 YEARS, OCC. HOUSEHOLD,  
R/O. DESAI GALLI, HALIYAL, TQ. HALIYAL,  
DIST. UTTARA KANNADA.
6. SMT. PADMAVATI W/O SAHADEV MORI,  
AGE. 67 YEARS, OCC. HOUSEHOLD,  
R/O. DESAI GALLI, HALIYAL,  
TQ. HALIYAL, DIST. UTTARA KANNADA.
7. SMT. NEELAVVA W/O NAKUL JAVALEKAR,  
AGE. 64 YEARS, OCC. HOUSEHOLD,  
R/O. DESAI GALLI, HALIYAL,  
TQ. HALIYAL, DIST. UTTARA KANNADA.
8. SHRI. SHANTARAM S/O DANGRU PATTEKAR,  
AGE. 61 YEARS, OCC. AGRICULTURE,  
R/O. MARUTI GALLI, HALIYAL  
TQ. HALIYAL, DIST. UTTARA KANNADA.

...RESPONDENTS

THIS RFA IS FILED UNDER SECTION 96 R/W UNDER ORDER XLI  
RULE 1 OF THE CODE OF CIVIL PROCEDURE, PRAYING TO CALL FOR  
RECORDS PERTAINING TO THE CASE AND TO SET ASIDE /MODIFY  
THE JUDGMENT AND DECREE DATED 27.11.2021 PASSED BY THE  
HON'BLE SENIOR CIVIL JUDGE AND JMFC HALIYAL IN OS NO.21/2019  
IN THE INTEREST OF JUSTICE AND EQUITY.



THIS RFA COMING ON FOR ORDERS, THIS DAY,  
ORDER WAS MADE THEREIN AS UNDER:

CORAM: THE HON'BLE DR. JUSTICE K.MANMADHA RAO

**ORAL ORDER**

1. Learned counsel for the appellants is present.
2. It appears that the appeal was earlier dismissed for non-prosecution on 21.11.2023. Subsequently, this Court, vide order dated 27.11.2025, allowed the application for recall of the order dated 21.11.2023 and granted two weeks' time to comply with the office objections.
3. Till date, the office objections have not been complied with. Learned counsel seeks an adjournment.
4. In view of the above, the appeal is dismissed for non-compliance of office objections.

**Sd/-  
(DR.K.MANMADHA RAO)  
JUDGE**