



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 3RD DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE DR. JUSTICE K.MANMADHA RAO

REGULAR FIRST APPEAL NO. 100422 OF 2017 (DEC/INJ)

BETWEEN:

1. HANUMANTAPPA @ HONNAPPA
DYAMAPPA WADDAR
AGE: 57 YEARS, OCC. AGRICULTURE,
2. BASAVARAJ @ CHANDRAPPA
DYAMAPPA WADDAR
AGE: 54 YEARS, OCC. AGRICULTURE,
3. BHIMAWWA
W/O DYAMAPPA WADDAR
AGE: 71 YEARS, OCC. HOUSEHOLD,

APP.NO.1 TO 3 ARE RESIDENT OF TADAS,
TQ. BYADAGI, DIST. HAVERI-581110.
4. KAMALAWWA @ HANUMAWWA
W/O SHIVAPPA KHANAVALI
AGE:40 YEARS, OCC. AGRICULTURE,
5. HONNAVVA W/O IRAPPA HAVERI
AGE:26 YEARS, OCC. HOUSEHOLD,
APP.NO. 5 & 6 ARE RESIDENT OF KERUDI,
TQ. BYADAGI, DIST. HAVERI-581110.

...APPELLANTS

(SRI. HANUMANTAPPA, APPELLANT-ABSENT)





AND:

1. PUTTAWWA D/O DYAMAPPA SHIDENUR
(PUTTAWWA W/O DYAMAPPA WADDAR)
FALSELY CLAIMING HERSELF AS SECOND WIFE
AGE: 70 YEARS, OCC. HOUSEHOLD,
R/O KERUDI, PRESENTLY AT KERUDI,
TQ. BYADAGI, DIST. HAVERI-581110.
2. DODDAHANUMANTAPPA MOOKHAPPA WADDAR
AGE: 85 YEARS, OCC. AGRICULTURE,
R/O TADAS, TQ. BYADAGI, DIST. HAVERI-581110.

...RESPONDENTS

(R1- HELD SUFFICIENT;
R2- APPEAL ABATED (V/O DATED 23.08.2023)

THIS RFA IS FILED UNDER SECTION 96 OF CPC., PRAYING
TO MODIFY THE JUDGMENT AND DECREE PASSED ON
31.07.2017 BY SENIOR CIVIL JUDGE AND JMFC, BYADGI IN OS
NO.139/2012 BY DECREETING THE SUIT OF THE PLAINTIFFS, IN
THE ENDS 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

On 01.07.2025, the memo for retirement filed by learned counsel Sri. M.H. Patil, appearing for the appellants, was accepted and he was permitted to retire from the case, and Court notice was issued to the appellants.

Today, the service reports of the Court notice have been received from the Senior Civil Judge and JMFC, Byadgi, showing that the notices were duly served personally on the appellants on 24.07.2025.

In view of this, it appears that the appellants are not interested in prosecuting the appeal. Accordingly, the appeal is dismissed for non-prosecution.

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

RSH, CT:VP
LIST NO.: 1 SL NO.: 3