

IN THE HIGH COURT OF KARNATAKA AT DHARWAD

[SMT MAHADEVI W/O MANOHAR

VS.

BHIMAPPA S/O LAXMAN MAMADAPUR]

24.02.2026

(VIDEO CONFERENCING / PHYSICAL HEARING)

CORAM: ADDL. REGISTRAR JUDICIAL

ORAL ORDER

Case is called out.

The learned Counsel for the Appellant is present and submits that, there are no instructions from the Appellant and prays for time to comply the Order of the Hon'ble Court.

As per Order dated : 09.02.2026, this case is listed on this day for dismissal for non-compliance of the Order dated : 09.02.2026.

But, inspite of giving sufficient opportunity from 25.03.2025, 10.07.2025 and 27.11.2025 and inspite of specific order on 09.02.2026 that, if the Order is not complied, the matter would be listed for dismissal on this day, the Order is not complied. Hence, there are no grounds to grant further time.

As per Chapter-XII, Rule 14(2) of Karnataka High Court Rules, the Registrar has the power to pass a peremptory order of dismissal, if the compliance is not made within the time extended.

As per Chapter-XII, Rule 14(3) of Karnataka High Court Rules, the party is entitled to apply for setting aside the peremptory order by making an application to the Court having assignment of the subject.

As per Clause No. C VIII (B), of SOP dated : 06.01.2026 regarding the process of scrutiny and listing of matters/cases before Courts and Nominated Registrars in the High Court of Karnataka, Bengaluru issued on 06.01.2026, the application to recall the

peremptory order made within a period of four weeks from the date of the Order, can be filed before the Nominated Registrar and the application made after the period of four weeks has to be listed before the Hon'ble Court.

Hence, the following Order is passed by exercising the powers as per Chapter-XII, Rule 14(2) of Karnataka High Court Rules.

ORDER

The Memorandum of Regular Second Appeal filed by the Appellant under Sec. 100 of Civil Procedure Code is dismissed for non-compliance of the Order dated : 27.11.2025, with no order as to costs.

The Appellant is entitled to make an application setting aside this Order .

The application to recall the peremptory order, if filed within a period of four weeks from the date of this Order, is ordered to be listed before the Nominated Registrar as per Clause No. C VIII (B), of **SOP dated : 06.01.2026 regarding the process of scrutiny and listing of matters/cases before Courts and Nominated Registrars in the High Court of Karnataka,**

And if the application is made after the period of four weeks from the date of this Order shall be listed before the Court having assignment of the subject as per Chapter-XII, Rule 14(3) of Karnataka High Court Rules, 1959.

Sd/-
(JERALD RUDOLPH MENDONCA)
ADDL. REGISTRAR (JUDICIAL) & NOMIATED REGISTRAR