



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 21ST DAY OF APRIL, 2026

PRESENT

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

AND

THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

REGULAR FIRST APPEAL NO.200034 OF 2019 (DEC/INJ)

BETWEEN:

C.H. DAYANAND RAO S/O HARIRAO,
AGE: 63 YEARS, OCC: AGRICULTURE,
R/O VILLAGE BILAHAR, TQ: SHAHAPUR,
DIST: YADGIRI.

...APPELLANT

(BY SRI. AJAY KUMAR ASHOK KUMAR, ADVOCATE)

AND:

1. M. PRABHAKAR S/O M. VEERAJU,
AGE: 41 YEARS, OCC: BUSINESS,
R/O DAVANGERE, TQ. & DIST: DAVANGERE,
NOW AT VILLAGE BILAHAR, TQ. SHAHAPUR,
DIST. YADGIRI-585 223.

2. C. RAMKRISHNA S/O AMMANNA,
AGE: 62 YEARS, OCC: AGRICULTURE,
R/O DAVANGERE, TQ. & DIST: DAVANGERE,
NOW AT VILLAGE BILAHAR, TQ. SHAHAPUR,
DIST. YADGIRI-585 223.

...RESPONDENTS

THIS RFA IS FILED UNDER SECTION 96 OF CPC, PRAYING TO
ALLOW THE APPEAL BY SETTING ASIDE THE JUDGMENT AND
DECREE DATED 22.09.2018 PASSED IN O.S.NO.25/2015 BY THE
SENIOR CIVIL JUDGE AND JMFC, SHAHAPUR AND CONSEQUENTLY
BE PLEASED TO DECREE THE SUIT OF THE PLAINTIFF.





THIS APPEAL COMING ON FOR ORDERS, THIS DAY, JUDGMENT
WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ
and
HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ)

1. Despite sufficient opportunities having being granted to the appellant to take out notice on the un-served respondents, no action has been taken.
2. Learned counsel for the appellant submits that he has no instruction in the above matter.
3. In view of the same, the above appeal is dismissed for non prosecution.

**Sd/-
(SURAJ GOVINDARAJ)
JUDGE**

**Sd/-
(DR.CHILLAKUR SUMALATHA)
JUDGE**