



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 24TH DAY OF MARCH, 2026

PRESENT

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

AND

THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

REGULAR FIRST APPEAL NO.200073 OF 2018 (DEC/INJ)

BETWEEN:

RUDRAPPA S/O BASAVANTRAYA HIRUR,
AGE: 76 YEARS, OCC: AGRI.,
R/O KACHAKANUR, TQ: SHORAPUR,
DIST: YADAGIR-585 224.

...APPELLANT

(BY SRI. HULEPPA HEROOR, ADVOCATE)

AND:

1. SHIVUBAI W/O SOMANGOUDA,
AGE: 31 YEARS, OCC: HOUSEHOLD,
R/O SHELLAGI, TQ. MUDDEBIHAL,
DIST. VIJAYAPUR-585 212.
2. SOMANGOUDA S/O SHIVANGOUDA,
AGE: 41 YEARS, OCC: AGRI.,
R/O SHELLAGI, TQ: MUDDEBIHAL,
DIST: VIJAYAPUR-586 212.

...RESPONDENTS

(BY SRI. S. V. PARADDY, ADVOCATE)

THIS REGULAR FIRST APPEAL IS FILED UNDER SECTION 96
READ WITH ORDER 41 RULE 1 OF THE CODE OF CIVIL PROCEDURE,
1908, PRAYING TO ALLOW THE PRESENT APPEAL AND SET ASIDE

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by EUCYGRACE
Location: HIGH
COURT OF
KARNATAKA



THE JUDGMENT AND DECREE PASSED IN O.S.NO.32/2017 ON THE FILE OF SENIOR CIVIL JUDGE AT SHORAPUR DATED 12.04.2018 AND DECREE THE SUIT OF PLAINTIFF WITH COST OR MATTER MAY BE REMANDED BACK FOR A FRESH CONSIDERATION UNDER THE FACTS AND CIRCUMSTANCES OF THE CASE.

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. The sole appellant is stated to have expired in the year 2022. Thereafter, several adjournments have been granted to bring the legal heirs of deceased sole appellant on record.
2. Learned counsel for the appellant submitted that, despite his best efforts, he has not been able to secure the details of the legal heirs, nor any of the legal heirs have approached the learned counsel.



3. The sole appellant having expired in the year 2022, the appeal has abated long ago. In that view of the matter, the appeal is dismissed as abated.

Sd/-
(SURAJ GOVINDARAJ)
JUDGE

Sd/-
(DR.CHILLAKUR SUMALATHA)
JUDGE

LG
List No.: 2 SI No.: 5
CT:SI