



**IN THE HIGH COURT OF KARNATAKA**

**KALABURAGI BENCH**

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

**BEFORE**

**THE HON'BLE MR. JUSTICE TYAGARAJA N. INAVALLY**

**REGULAR SECOND APPEAL NO.200289 OF 2016**

**(DEC/INJ)**

**BETWEEN:**

SIDDHARUDH S/O VEERAPPA GOBBURE,  
AGE: 72 YEARS, OCC: BUSINESS,  
R/O. SHARANANAGAR, ALAND, TQ. ALAND,  
DIST. KALABURAGI- 585 302.

...APPELLANT

(BY SRI AJAYKUMAR A.K., ADVOCATE)

**AND:**

Digitally signed by  
SUMITRA  
SHERIGAR  
Location: HIGH  
COURT OF  
KARNATAKA

1. VIVEKANAND S/O SANMUKHAPPA SANMUKH  
AGE: 47 YEARS, OCC: AGRICULTURE,  
R/O. SHARANANAGAR, ALAND, TQ. ALAND,  
DIST. KALABURAGI- 585 302.
2. SANMUKHAPPA S/O PEERAPPA SANMUKH  
AGE: 73 YEARS, OCC: AGRICULTURE,  
R/O. SHARANANAGAR, ALAND, TQ. ALAND,  
DIST. KALABURAGI- 585 302.
3. THE CHIEF OFFICER,  
TOWN MUNICIPALITY, ALAND,



MAIN ROAD, ALAND, TQ. ALAND,  
DIST. KALABURAGI- 585 302.

...RESPONDENTS

(BY SRI. KRUPA SAGAR PATIL, ADVOCATE, FOR R1 & R2,  
R3-SERVED)

THIS RSA IS FILED UNDER SECTION 100 OF THE CODE OF CIVIL PROCEDURE, PRAYING TO ALLOW THE APPEAL BY SETTING ASIDE THE JUDGMENT AND DECREE DATED 03.04.2012 PASSED IN O.S. NO.286/1999 BY THE PRINCIPAL CIVIL JUDGE AND JMFC, ALAND, AND VIDE JUDGMENT AND DECREE DATED 27.07.2016 IN R.A. NO.6/2012 BY THE SENIOR CIVIL JUDGE, ALAND, CONSEQUENTLY, DISMISS THE SUIT OF THE PLAINTIFFS.

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

CORAM: HON'BLE MR. JUSTICE TYAGARAJA N. INAVALLY

### **ORAL JUDGMENT**

The learned counsel for the respondents No.1 and 2 submits that the sole appellant in the case died as early as in the year 2021.

2. The learned counsel for the appellant admits the said fact.



3. The legal representatives of the appellant have not chosen to come on record. Therefore, this appeal abates and consequently, it does not survive for consideration.

4. In the result, this appeal is hereby **dismissed as abated.**

**Sd/-**  
**(TYAGARAJA N. INAVALLY)**  
**JUDGE**

SBS  
List No.: 1 Sl.No.: 52  
CT: SB