



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. 200062 OF 2018 (PAR)

BETWEEN:

SMT. JYOTI
W/O SUBHAS PATTANSHETTI,
AGE: 44 YEARS,
OCC: HOUSEHOLD WORK,
R/O: GANGAPURAM NAGAR,
DARGA JAIL ROAD,
VIJAYAPUR-586 101.

...APPELLANT

(BY SRI. INAMDAR MEHBOOB PASHA, ADVOCATE- ABSENT)

AND:

1. SIDDAPPA
S/O SIDDALINGAPPA JAGADINNI,
AGE : 69 YEARS,
OCC: BUSINESS AND AGRICULTURE,
R/O: GANGAPURAM NAGAR,
DARGA JAIL ROAD,
VIJAYAPUR - 586 101.
2. SUDHIRKUMAR
S/O SIDDAPPA JAGADINNI,
AGE : 42 YEARS,
OCC: BUSINESS AND AGRICULTURE,
R/O: GANGAPURAM NAGAR,
DARGA JAIL ROAD,
VIJAYAPUR - 586 101.





3. SMT.SANGITA
W/O SUDHIRKUMAR JAGADINNI,
AGE : 34 YEARS,
OCC: HOUSEHOLD WORK,
R/O: GANGAPURAM NAGAR,
DARGA JAIL ROAD,
VIJAYAPUR – 586 101.
4. KUMAR SARVESHKUMAR
S/O SUDHIRKUMAR JAGADINNI,
AGE: 11 YEARS, OCC: STUDENT,
MINOR R/BY HIS NATURAL GUARDIAN
FATHER (DEFENDANT NO.2)
SUDHIRKUMAR
S/O SIDDAPPA JAGADINNI,
AGE : 42 YEARS,
OCC: BUSINESS AND AGRICULTURE,
R/O: GANGAPURAM NAGAR,
DARGA JAIL ROAD,
VIJAYAPUR – 586 101.

...RESPONDENTS

(BY SRI. AJAYKUMAR A.K., ADVOCATE FOR R1;
SRI. SHIVANAND PATIL AND
SRI VARUN PATIL, ADVOCATES FOR R2 TO R4)

THIS RFA IS FILED UNDER ORDER 41 RULE 1 READ WITH SECTION 96 OF CPC, PRAYING TO CALL FOR RECORDS, SET ASIDE THE JUDGMENT AND DECREE DATED 02.01.2018 PASSED BY THE LEARNED II-ADDL. SENIOR CIVIL JUDGE, VIJAYAPURA, IN O.S.NO.40/2013 BY ALLOWING THE 1/3RD LEGITIMATE SHARE OF THE PLAINTIFF IN SUIT SCHEDULE PROPERTIES BY ALLOWING THE APPEAL, IN THE INTEREST OF JUSTICE AND FAIR PLAY.

THIS APPEAL COMING ON FOR FINAL HEARING, 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)

Despite the order dated 07.04.2026 clearly mandating that if arguments are not advanced on the next date, the appeal would be liable to be dismissed for non-prosecution, none appears for the appellant today. Hence, the appeal is dismissed for non-prosecution.

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

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

NB
List No.: 1 Sl No.: 7
Ct: Vk