

MFA NO. 201105/2023 (CPC)

IN THE HIGH COURT OF KARNATAKA AT KALABURAGI

[SUNKAPPA AND OTHERS VS. DATTU AND ANOTHER]

07.07.2026

(VIDEO CONFERENCING / PHYSICAL HEARING)

CORAM: HON'BLE MR. JUSTICE K V ARAVIND

ORAL ORDER ON I.A.NO.2/2026

This appeal was dismissed by order dated 01.06.2023. I.A.No.1/2023 was filed to recall the said order. Pending consideration of I.A.No.1/2023, the appellants were permitted to comply with office objections within two weeks. However, office objections are not complied, the application in I.A.No.1/2023 came to be rejected.

I.A.No.2/2026 is filed on 09.06.2026 after lapse of three years. The application undoubtedly is not maintainable unless accompanied by application for condonation of delay in filing the application.

When the matter was listed on 01.07.2026, submission was made by the learned counsel for the appellants that needful was done. Today again requested time to file application for condonation of delay.

This Court finds that the submission made on earlier date is misleading and the conduct of the appellants is frivolous. Though submission is made that IA for condonation of delay is filed in the Registry, no such application is forthcoming from the record.

In the light of the above aspects, the present application in I.A.No.2/2026 is rejected with cost of Rs.10,000/- payable to the Advocates' Association Library Fund, High Court of Karnataka, Kalaburagi Bench.

**Sd/-
(K V ARAVIND)
JUDGE**