

**IN THE HIGH COURT OF KARNATAKA,  
DHARWAD BENCH**

DATED THIS THE 23<sup>RD</sup> DAY OF APRIL, 2010

BEFORE

**THE HON' BLE MR. JUSTICE RAM MOHAN REDDY**

**RSA NO 2074 OF 2007**

**BETWEEN:**

1. SRI. NINGAPPA  
S/O MALLAPPA KOTAGUR @ KALAGOD,  
AGED ABOUT: 50 YEARS,  
OCC: AGRICULTURE,  
R/O BAAD, TQ: SHIGGAON-581205.  
DIST: HAVERI.
2. SRI. SHIVAPPA  
S/O MALLAPPA KOTAGUR @ KALAGOD  
AGED ABOUT: 47 YEARS,  
OCC: ATTENDER, HALLIKERE GUDLEPPA  
COLLEGE, HAVERI-581232.
3. SRI. YALLAPPA  
S/O PEERAPPA KOTAGUR @ KALAGOD  
AGED ABOUT: 50 YEARS,  
OCC: AGRICULTURE,  
R/O BAAD, TQ: SHIGGAON-581205.  
DIST: HAVERI.
4. SRI. PARASAPPA  
S/O PEERAPPA KOTAGUR @ KALAGOD  
AGED ABOUT: 48 YEARS,  
OCC: AGRICULTURE,  
R/O BAAD, TQ: SHIGGAON-581205.  
DIST: HAVERI.

5. SRI RAMAPPA  
 S/O PEERAPPA KOTAGUR @ KALAGOD  
 AGED ABOUT: 46 YEARS,  
 OCC: AGRICULTURE,  
 R/O BAAD, SHIGGAON-581205.  
 DIST: HAVERI.

... APPELLANTS

(By Sri: B.T.KULKARNI, Adv. FOR A1 AND A4  
 & K.G. SHANTAPPA, Adv. )

**AND:**

1. SRI SHEKHAPPA  
 S/O IRAPPA KUNDUR,  
 AGED ABOUT: 39 YEARS,  
 OCC: AGRICULTURE,  
 R/O BAAD, SHIGGAON-581205.  
 DIST: HAVERI.
2. SRI BASAVANNEPPA  
 S/O IRAPPA KUNDUR,  
 AGED ABOUT: 37 YEARS  
 OCC: AGRICULTURE  
 R/O BAAD, SHIGGAON-581205.  
 DIST: HAVERI.
3. SRI KOTRESHAPPA  
 S/O IRAPPA KUNDUR,  
 AGED ABOUT: 35 YEARS  
 OCC AGRICULTURE,  
 R/O BAADSHIGGAON-581205,  
 DIST: HAVERI.
4. SRI GURUPADAPPA  
 S/O BASAAVANNEPPA KUNDUR,  
 AGED ABOUT: 36 YEARS,  
 OCC: AGRICULTURE,  
 R/O BAAD, SHIGGAON-581205.  
 DIST: HAVERI.

... RESPONDENTS

\* \* \* \* \*

This Regular Second Appeal filed U/S 100 of CPC, against the Judgement and Decree dated: 26.06.2007 passed in R. A. No. 67/2004 on the file of the Civil Judge (Sr.Dn), Haveri. Allowing the appeal and setting aside the Judgement and Decree dated 01.10.2004, passed in O. S. No. 36/2002 on the file of the Civil Judge (Jr.Dn) & JMFC Shiggaon.

This appeal coming on for Orders this day, the Hon'ble Court passed the following;

**O R D E R**

“If steps taken on or before 30.04.2010, issue notice to respondents returnable by 16.06.2010. failing which appeal stands dismissed without reference to Bench”.

**SD/-  
JUDGE**

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Note: - As per endorsement made in the order sheet dated 13.08.2010, the Advocate for the Appellant has not furnished PF to issue notice to respondents. Hence, this RSA. No. 2074/2007 stands dismissed as per the Court Order dated: 23.04.2010.

**BY ORDER OF THE COURT**

**Sd/-  
ASSISTANT REGISTRAR**

T- By: dn  
R- By:  
C- By: