

IN THE HIGH COURT OF KARNATAKA
GULBARGA BENCH

DATED THIS THE 31ST DAY OF JULY, 2014

BEFORE

THE HON'BLE MRS. JUSTICE RATHNAKALA

REGULAR SECOND APPEAL No.1276/2005

BETWEEN:

1. SHIVAPPA
S/O. REVANNA SIDDAPPA JAVALI
AGED ABOUT 75 YEARS
KSRTC DRIVER (RETD.)
2. VIRUPAKSHAPPA
S/O. REVANNA SIDDAPPA JAVALI
(SINCE DECEASED BY HIS LRS.)
 - a) SHANTHA BAI
W/O. VIRUPAKSHAPPA JAVALI
AGED ABOUT 40 YEARS
HOUSEHOLD WIFE
 - b) KASHINATH
S/O. VIRUPAKSHAPPA JAVALI
AGED ABOUT 30 YEARS
PRIVATE SERVICE
 - c) SANGAPPA
S/O. VIRUPAKSHAPPA JAVALI
AGED ABOUT 28 YEARS
PRIVATE SERVICE
3. ANNAPURNA BAI
W/O. BASAPPA JAVALI
AGED ABOUT 40 YEARS
HOUSEHOLD WIFE

4. KUSUMA BAI
D/O. BASAPPA JAVALI
AGED ABOUT 25 YEAR
HOUSEHOLD WIFE
5. SIDDAPPA
S/O. REVANNA SIDDAPPA JAVALI
PRIVATE SERVICE

ALL ARE RESIDING AT
BANAGARAGALLI, JORAPURPETH
WARD NO.1, BIJAPUR-586101

... **APPELLANTS**

**(BY SRI H.N.SHASHIDHAR, ADVOCATE FOR
M/S. KESVY AND COMPANY)**

AND:

1. KARABASAPPA
S/O. ANAVEERAPPA TELSANG
AGED ABOUT 55 YEARS
OCC: BUSINESS
2. MAHADEVAPPA
S/O. ANAVEERAPPA TELSANG
AGED ABOUT 38 YEARS
OCC: PRIVATE SERVICE

BOTH ARE RESIDING AT: BANAGARAGALLI
WARD NO.1, BIJAPUR-586101

... **RESPONDENTS**

THIS REGULAR SECOND APPEAL IS FILED UNDER SECTION 100 OF CPC AGAINST THE JUDGMENT AND DECREE DATED 06.04.2005 PASSED IN R.A.NO.454/2004 ON THE FILE OF THE PRESIDING OFFICER, FAST TRACK COURT-I, BIJAPUR, ALLOWING THE APPEAL AND SETTING ASIDE THE JUDGMENT AND DECREE DATED 30.10.2002 PASSED IN O.S.NO.191/1987 ON THE FILE OF THE II ADDL. CIVIL JUDGE (JR.DN.), BIJAPUR.

THIS APPEAL COMING ON FOR FURTHER ORDERS, THIS DAY, THE COURT DELIVERED THE FOLLOWING:

J U D G M E N T

There is no representation for the appellants. Since the order dated 10.12.2008 has not been complied with, the appeal stands dismissed.

**Sd/-
JUDGE**

NB*