

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 31ST DAY OF MARCH 2016

BEFORE

THE HON'BLE MR.JUSTICE A. N. VENUGOPALA GOWDA

REGULAR FIRST APPEAL No.850 OF 2015

BETWEEN:

SRI S. UMESH
S/O LATE SRINIVASAIAH,
AGED ABOUT 52 YEARS,
R/AT NO.19, 1ST FLOOR,
18TH CROSS, CUBBONPET,
BANGALORE-560 002

... APPELLANT

(BY SRI KASHINATH.J.D., ADV.,)

AND:

K.C. MARIYAPPA SINCE DEAD BY LRS.

1. SRI.K. M.MANOJKUMAR,
S/O LATE K.C.MARIYAPPA,
AGED ABOUT 44 YEARS,
R/AT NO.1, 3RD FLOOR,
COLES ROAD, FRAZER TOWN,
BANGALORE -560 005

2. SRI JITHENDRA
S/O LATE K.C.MARIYAPPA,
AGED ABOUT 42 YEARS,
R/AT NO.620, 1ST MAIN,
INDIRANAGAR 1ST STAGE,
BENGALURU-560 038

LALITHAMMA
W/O M.R.NARAYANASWAMY,

SINCE DEAD BY LR,

3. SRI V N SRINIVAS,
S/O LATE M.R.NARAYANASWAMY,
AGED ABOUT 53 YEARS,
R/AT NO.66, BDA LAYOUT,
2ND CROSS, HEGDE NAGAR,
BANGALORE-560 077

... RESPONDENTS

THIS REGULAR FIRST APPEAL IS FILED UNDER SECTION 96 OF CPC, AGAINST THE JUDGMENT AND DECREE DATED 03.06.2015 PASSED IN EX NO.619/2015 ON THE FILE OF THE CHIEF JUDGE, COURT OF SMALL CAUSES, BENGALURU, REJECTING THE APPLICATION FILED UNDER ORDER XXI RULE 97 SUB RULE (1) OF CPC.

THIS RFA IS COMING ON FOR ORDERS THIS DAY, THE COURT DELIVERED THE FOLLOWING:

JUDGMENT

Despite peremptory order dated 22.02.2016, there is non compliance of office objections. Learned advocate for the appellant again seeks time for compliance. There is no justification. Hence, the appeal is dismissed for non prosecution.

**Sd/-
JUDGE**

HJ