

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF FEBRUARY, 2019

B E F O R E

THE HON'BLE MR. JUSTICE N.K.SUDHINDRARAO

REGULAR SECOND APPEAL No.1629/2014

BETWEEN:

SRI M.R. SUVARNA
S/O SRI PADMAPPA SUVARNA,
AGED ABOUT 81 YEARS,
APARTMENT C3-202,
"WHITE HOUSE", R T NAGAR,
BANGALORE-560 032

... APPELLANT

(BY SRI ACHARYA B. L., ADVOCATE)

AND:

1. SRI GURUDAS KARKERA
S/O LATE RATHNAKARA KARKERA,
AGED ABOUT 63 YEARS,
R/AT KARKERA COMPOUND,
NAGORI, KANKANADY,
MANGALORE-575 002.
2. SRI SURESH KARKERA
S/O LATE RATHNAKARA KARKERA,
AGED ABOUT 61 YEARS,
R/AT KARKERA COMPOUND,
NAGORI, KANKANADY,
MANGALORE-575 002
3. MS. SUCHETHA SUVARNA
D/O LATE RATHNAKARA KARKERA,
AGED ABOUT 60 YEARS,
R/AT KARKERA COMPOUND,
NAGORI, KANKANADY,
MANGALORE-575 002.

4. SMT. SHASHIKALA SUVARNA
W/O SRI M. R. SUVARNA,
AGED ABOUT 76 YEARS,
APARTMENT C3-202
"WHITE HOUSE", R T NAGAR,
BANGALORE-560 032.
5. MS. MEERA KARKERA
D/O LATE RATHNAKARA KARKERA,
AGED ABOUT 59 YEARS,
R/AT KARKERA COMPOUND,
NAGORI, KANKANADY,
MANGALORE-575 002.
6. MS. SUNEETHI KARKERA
D/O LATE RATHNAKARA KARKERA,
AGED ABOUT 84 YEARS,
R/AT KARKERA COMPOUND,
NAGORI, KANKANADY,
MANGALORE-575 002.

... RESPONDENTS

(BY SRI RAMA BHAT K., ADV., FOR CAVEATOR R1 TO R3 & R5)

THIS REGULAR SECOND APPEAL IS FILED UNDER SECTION 100 OF CPC, AGAINST THE JUDGMENT AND DECREE DATED 16.8.2014 PASSED IN R.A.NO.81/2008 ON THE FILE OF 2ND ADDITIONAL DISTRICT AND SESSIONS JUDGE, D.K., MANGALORE, DISMISSING THE APPEAL AND CONFIRMING THE JUDGMENT AND DECREE DATED 11.6.2008 IN O.S.22/2007 ON THE FILE OF CIVIL JUDGE (SR.DN.), BANTWAL.

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

JUDGMENT

This appeal is listed for orders regarding non taking steps in respect of respondent No.4 and deceased respondent No.6.

2. Since steps are not taken in respect of deceased respondent No.6, appeal is dismissed as having become abated against respondent No.6.

3. It is reported that the sole appellant in this appeal died on 27.12.2017 and there is no progress from the side of the appellant. Therefore appeal stands abated.

Sd/-
JUDGE

Nsu/-