IN THE HIGH COURT OF KARNATAKA,

DHARWAD BENCH

DATED THIS THE 1ST DAY OF APRIL, 2025

BEFORE

THE HON'BLE MR. JUSTICE E.S.INDIRESH

REGULAR SECOND APPEAL NO. 5117 OF 2008 (DEC/INJ-)

BETWEEN:

SIDDAPPA SIDRAMAPPA BADAWADAGI,
AGE: 80 YEARS, OCC: RETIRED TEACHER,
R/O. BAGALKOT.

...APPELLANT

(BY SRI. P.H. GOTKHINDI, ADVOCATE)

AND:

1. GOPAL KEDARNATH PESALE @ PATIL,
SINCE DECEASED BY HIS LRS

1(A) MAITRABAI GOPAL PISALE @ PATIL,
AGED ABOUT 60 YEARS,
OCC: HOUSEHOLD WORK,
R/O. 97-E, G OLD PINCH PETH,
SHOLAPUR-413007.

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MOHANKUMAR B
SHELAR
Location: HIGH
COURT OF
KARNATAKA
DHARWAD BENCH

1(B) VIJAYA GOPAL PATIL @ PISALE,
AGED 45 YEARS, OCC: BUSINESS,
R/O. 97-E, G OLD PINCH PETH,
SHOLAPUR-413007.

1(C) RANAJEET GOPAL PATIL @ PISALE,
AGED 38 YEARS, OCC: SERVICE,
R/O. 97-E, G OLD PINCH PETH,
SHOLAPUR-413007.

2. GAJANAN S/O. KEDARNATH PISALE @ PATIL,
AGE: MAJOR BY HIS POWER OF ATTORNEY HOLDER,
PIRAJI RAHOBA WADAKAR,
AGE: MAJOR OCC: SERVICE,
R/O. BAGALKOT-587101.

3. SAROJINI W/O. JOTIBA JADHAV,
AGE: MAJOR, OCC: HOUSEHOLD WORK,
R/O. BAGALKOT-587101.

4. KAVITA D/O. JOTIBA JADHAV,

5. SUNITA D/O. JOTIBA JADHAV,

6. SUDHA D/O. JOTIBA JADHAV,
(SINCE MINORS REPRESENTED BY THEIR
MINOR GUARDIAN
SAROJINI JOTIBA JADHAV,
R/O. BAGALKOT-587101)

7. PRAMILA PANDURANG PAWAR,
AGED 35 YEARS, OCC: HOUSEHOLD WORK,
R/O. PANDHARAPUR, DIST: SHOLAPUR-413007.

8. ANILKUMAR KEDARNATH PISALE,
AGE: 30 YEARS, OCC: BUSINESS,
R/O. 97-E GOLD PINCH PETH, SHOLAPUR-413007.

…RESPONDENTS

(BY SRI. P.A. KULKARNI, ADVOCATE FOR R1(A-C), R2 & R3;
NOTICE TO R7 & R8 IS HELD SUFFICIENT)

THIS REGULAR SECOND APPEAL IS FILED UNDER SECTION 100 OF CPC PRAYING TO CALL FOR RECORDS ON THE FILE OF THE COURT OF PRINCIPAL CIVIL JUDGE (SR.DN.) BAGALKOT IN R.A.NO.59 OF 95 AND ALSO IN O.S.NO.6/90 ON THE FILE OF COURT OF PRINCIPAL MUNSIFF BAGALKOT AND ON PERUSUAL OF THE SAME BE PLEASED TO SET ASIDE THE JUDGMENT AND DECREE DATED 06-06-08, AND 29.3.1995 RESPECTIVELY IN THE INTEREST OF JUSTICE AND EQUITY.

THIS APPEAL COMING ON FOR FINAL HEARING THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: THE HON'BLE MR. JUSTICE E.S.INDIRESH

ORAL JUDGMENT

No representation on behalf of the appellant.

Perusal of the previous order sheet would indicate that there was no representation on behalf of the appellant on 30.05.2024, 13.06.2024, 27.06.2024 and 15.07.2024 and as on today also.

In that view of the matter, the appellant is not interested to prosecute the appeal. Accordingly, the appeal is dismissed for non-prosecution.

Sd/-
(E.S.INDIRESH)
JUDGE

SH
CT-MCK
List No.: 1 Sl No.: 35