

Mallappa vs Devappa

Mallappa vs Devappa

SooperKanoon Citation : sooperkanoon.com/1615717

Court : Karnataka Orders

Decided On : Apr-29-2025

Judge : E.S.Indires

Appeal No. : RSA/101053/2016

Appellant : Mallappa

Respondent : Devappa

Judgement :

IN THE HIGH COURT OF KARNATAKA, DHARWAD BENCH,
DHARWAD DATED THIS 29TH DAY OF APRIL, 2025 BEFORE THE
HON'BLE MR. JUSTICE E.S.INDIRESH RSA NO. 101053 OF 2016
BETWEEN:

1. MALLAPPA S/O. GANGAPPA KURABAR, AGE: 57 YEARS, OCC:
AGRICULTURE,
2. MARUTI S/O. GANGAPPA KURABAR, AGE: 49 YEARS, OCC:
AGRICULTURE,
3. RAYAPPA S/O. GANGAPPA KURABAR, AGE: 49 YEARS, OCC:
AGRICULTURE,

4. SIDDAVVA W/O. LATE GANGAPPA KURABAR, AGE: 74 YEARS, OCC: HOUSEHOLD WORK,

5. KALLAVVA W/O. BALAPPA KURABAR, AGE: 59 YEARS, OCC: HOUSEHOLD WORK,

6. SIDARAI S/O. KENCHAPPA KURABAR, AGE: 64 YEARS, OCC: AGRICULTURE, ...APPELLANTS (By SRI : SHREEVATSA HEGDE) AND

1. DEVAPPA S/O. SIDDAPPA KURABAR, AGE: 69 YEARS, OCC: AGRICULTURE,

2. YALLAVVA W/O. APPANNA KURABAR, AGE: 50 YEARS, OCC: HOUSEHOLD WORK,

3. GANGARAM S/O. APPANNA KURABAR, AGE: 25 YEARS, OCC: AGRICULTURE,

4. PARASHURAM S/O. APPANNA KURABAR, AGE: 19 YEARS, OCC: AGRICULTURE,

5. REKHA D/O. APPANNA KURABAR, AGE: 15 YEARS, OCC: AGRICULTURE, SLO.NO.5 MINOR REPRESENTED BY NATURAL MOTHER GUARDIAN RESPONDENT NO.2

6. BHIMARATI W/O. NIGAPPA KARIGAR, AGE: 51 YEARS, OCC: HOUSEHOLD WORK AND AGRICULTURE, R/O. MAIN ROAD, SAMBRA, TAL AND DIST: BELGAUM.

7. NEMAKKA SIDARAI KURABAR, AGE: 78 YEARS, OCC: HOUSEHOLD WORK, R/O. KADAK GALLI, TAL AND DIST: BELGAUM.

8. GEETA SURESH APPUGOL, AGE: 48 YEARS: OCC: HOUSEHOLD WORK, R/O. KADAK GALLI, TAL AND DIST: BELGAUM.

9. SHOBHA BAGANNA KHANGOANKAR,

AGE: 43 YEARS, OCC: HOUSEHOLD WORK, R/O. KAKATI, TAL AND DIST: BELGAUM. 10 . NINGAVVA SIDDAPPA BELGAONKAR, AGE: 68 YEARS, OCC: HOUSEHOLD WORK, R/O. KAKATI, TAL AND DIST: BELGAUM. 11 . SMT NAGULI SIDDAPPA PATIL, AGE: 63 YEARS, OCC: HOUSEHOLD WORK, R/O. KAKATI, TAL AND DIST: BELGAVI. 12 . SMT GANGOLI KRISHNA KURABAR, AGE: 53 YEARS, OCC: HOUSEHOLD WORK, R/O. KANABARGI, TAL AND DIST: BELGAVI. 13 . SHRI SIDARI NINGAPPA KARIGAR, AGE: 73 YEARS, OCC: AGRICULTURE, R/O. SAMBRA, TAL AND DIST: BELGAVI. 14 . SMT RAYAWWA SIDDAPPA KURABAR, R/O. SAMBRA, TAL AND DIST: BELGAVI. 15 . SMT. BUDAWWA FAKIRA KURABAR, R/O. NINDIHALLI, TAL AND DIST: BELGAVI. 16 . SMT. SHIVAKKA W/O. VITHAL KURABAR, 17 . SMT. LAXMI W/O. SIDDALING KURABAR, 18 . SHRI FAKIRA SIDDALING KURABAR, 19 . SMT. SUDHA RAYAPPA KURABAR, R/O.KANABARGI, TAL AND DIST: BELGAVI. 20 . SMT. SIDDAWWA APPAYYA MALATODI, R/O.KANABARGI, 21 . BHIMSEN BHIMAPPA KURABAR, R/O.MUTAGA,TAL AND DIST: BELGAVI. 22 . SHRI BALAPPA BHIMAPPA KURABAR, R/O.MUTAGA, TAL AND DIST: BELGAVI. 23 . SHRI SHETTAPPA BHIMAPPA KURABARA, R/O.NANDIHALLI, 24 . SHRI BAGAPPA BHIMAPPA KURABAR, R/O.UCHAGAON, TAL AND DIST: BELGAVI. 25 . SHRI YALLAPPA BHIMAPPA KURABAR, R/O.MUTAGA, TAL AND DIST: BELGAVI. 26 . SMT. GANGAVVA KURABAR, R/O.JUNE BELGAUM, 27 . SMT NAGOLI LAXMAN KURABAR @ HOLBAR, 28 . SHRI BAGAPPA MALLAPPA KURABAR @ HOLBAR, 29 . SHRI PARASHURAM MALLAPPA KURABAR @ HOLBAR, 30 . SHRI DEVAPPA MALLAPPA KURABAR @ HOLBAR, 31 . SHRI CHANDU MALLAPPA KURABAR @ HOLBAR, 32 . SMT. YALLAWWA W/O. ARJUN KURUBAR, AGE: 39 YEARS, OCC: HOUSEHOLD WORK, R/O.KANABARAGI, 33 . SHRI YALLAPPA S/O. ARJUN KURABAR, AGE: 20 YEARS, OCC: AGRICULTURE, 34 . SHRI MANJUNATH S/O. ARJUN KURABAR,

AGE: 13 YEARS, OCC: STUDENT, 35 . KUMARI MANJULA D/O.
ARJUN KURABAR,

AGE: 9 YEARS, OCC: STUDENT, SL. NO.4 AND 5 ARE MINORS R/BY
HIS NEXT FRIEND, NATURAL GUARDIAN MOTHER APPELLANTS
NO.2 ...RESPONDENTS

RSA FILED U/SEC.100 OF CPC, AGAINST THE JUDGEMENT

DECREE DTD01.08.2014 PASSED IN R.A.NO.10/2013 ON THE FILE OF THE V-
ADDITIONAL DISTRICT AND SESSIONS JUDGE, BELAGAVI, DISMISSING THE
APPEAL AND CONFIRMING THE

JUDGMENT AND DECREE DTD18.08.2012, PASSED IN O.S.

NO.84/2003 ON THE FILE OF THE III-ADDITIONAL SENIOR CIVIL JUDGE,
BELAGAVI, DISMISSING THE SUIT FILED FOR PARTITION AND SEPARATE
POSSESSION. THIS APPEAL COMING ON FOR ORDERS THIS DAY, THE
COURT MADE THE FOLLOWING;

ORDER

Finally two week9s time is granted to remove office objections, failing which, the
appeal shall stand dismissed without reference to the Bench. SD/- JUDGE Note:-
As per endorsement made in the order sheet dated 06.06.2025. Counsel for the
appellants has not complied with the office. Hence, this RSA No. 101053/2016
stands dismissed without reference to the court as per the Court Order dated
21.04.2025. BY ORDER OF THE COURT Sd/- ASSISTANT REGISTRAR. C- By:-
plr T- By: -vg

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com