

Mohammed Haneef vs Mohammed Dastagir

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Court : Karnataka Orders

Decided On : Nov-29-2024

Judge : Ravi V Hosmani

Appeal No. : RSA/342/2013

Appellant : Mohammed Haneef

Respondent : Mohammed Dastagir

Judgement :

-1-

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF NOVEMBER, 2024 BEFORE THE HON'BLE MR JUSTICE RAVI V HOSMANI REGULAR SECOND APPEAL NO.342 OF 2013 (SP) BETWEEN: MOHAMMED HANEEF, S/O SHEIK MEHBOOB SAB, AGED ABOUT 55 YEARS, R/A HINDIGANALA VILLAGE, HOSAKOTE TALUK, BANGALORE RURAL DISTRICT-562 114. APPELLANT [BY SMT. NEERAJA KARANTH, ADVOCATE FOR SRI K. SHRIHARI, ADVOCATE (PH)] AND:

1. MOHAMMED DASTAGIR, @ VEEAPURA DASTAGIR, AGED ABOUT 60 YEARS,

2. AKBAR @ VEERAPURA AKBAR,

Digitally RESONDENTS NO.1 & 2 ARE signed by R/A ARAHALLI VILLAGE AND POST, ANUSHA V BACKSIDE OF MASJID, Location: KOLAR TAUKE AND DISTRICT- 563 101. High Court of Karnataka 3. B. CHANNAPPA, S/O SOOLUR DODDABYRAPPA, CHANJIMALE VILLAGE, VEMAGAL HOBLI, KOLAR TALUK AND DISTRICT - 563 101.

4. SREENIVASIAH, S/O MUNISHAMAPPA, AGED ABOUT 53 YEARS,

5. NARAYANASWAMY, S/O LATE MUNISHAMAPPA, AGED ABOUT 47 YEARS,
-2- RESPONDENTS NO.4 & 5 ARE R/A HORAMAVU VILLAGE & POST, KRISHNARAJAPURAM HOBLI, BANGALORE NORTH TALUK, BANGALORE DISTRICT - 560 043. RESPONDENTS (R3 - SERVED) THIS RSA IS FILED U/S. 100 OF CPC., AGAINST THE

JUDGMENT & DECREE DTD 13.4.2011 PASSED IN R.A.NO.214/2009

ON THE FILE OF THE II ADDL. SENIOR CIVIL JUDGE, KOLAR, DISMISSING THE APPEAL AND CONFIRMING THE JUDGMENT AND DECREE DATED 27.10.2009 PASSED IN OS.NO.332/2008 ON THE FILE OF THE II ADDL. CIVIL JUDGE (JR.DN) KOLAR. THIS APPEAL, COMING ON FOR ORDERS, THIS DAY,

JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR JUSTICE RAVI V HOSMANI

ORAL JUDGMENT

Notice issued to respondents no.1, 2, 4 and 5 was unsuccessful thrice. By order dated 03.01.2024, time was granted to file application for substituted service. Till date, applications are not filed. Learned counsel for appellant submits no instructions. This would indicate that appellant is not diligent in pursuing appeal. Hence, appeal is dismissed for non-prosecution. SD/- (RAVI V HOSMANI) JUDGE

GRD List No.: 1 SI No.: 5

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