

Tejas vs V Nagaraj

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Court : Karnataka Orders

Decided On : Aug-31-2024

Judge : S.G.Pandit,C.M. Poonacha

Appeal No. : RFA/308/2015

Appellant : TEJAS

Respondent : V Nagaraj

Judgement :

-1-

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 31ST DAY OF AUGUST, 2024 PRESENT THE
HON'BLE MR JUSTICE S.G.PANDIT AND THE HON'BLE MR JUSTICE
C.M. POONACHA REGULAR FIRST APPEAL NO. 308 OF 2015 (PAR)
BETWEEN:

1. TEJAS AGED ABOUT 24 YEARS S/O V. NAGARAJ

2. PAVANIKA

AGED ABOUT 19 YEARS D/O V. NAGARAJ BOTH ARE R/AT #55, HENNUR
ROAD, APPELLANTS Digitally signed (BY SRI. G S PRASANNA

KUMAR.,ADVOCATE(ABSENT)) by NIRMALA DEVI Location: HIGH AND: COURT OF KARNATAKA

1. V NAGARAJ AGED ABOUT 52 YEARS S/O C. VEERAPPA R/AT #55, HENNUR ROAD,

2. K.S. RAMAKUMAR AGED ABOUT 54 YEARS S/O K.S. SAMPANGIRAMA SHETTY RA/T #27, A/13, II B CROSS, -2- KATHRIGUPPE MAIN ROAD, BENGALURU-85

3. STATE BANK OF INDIA

22, J.C. ROAD BRANCH, BENGALURU 560002 REP BY ITS BRANCH MANAGER RESPONDENTS (BY SRI. T V DEVARAJA & .,ADVOCATE FOR C/R2 (ABSENT)) THIS RFA IS FILED UNDER SEC.96 R/W ORDER XLI OF THE CPC 1908, AGAINST THE JUDGMENT AND DECREE DATED 25.11.2014 IN O.S.NO.1875/2007 ON THE FILE OF THE XVIII ADDL.CITY CIVIL JUDGE, BENGALURU, DISMISSING THE SUIT FOR PARTITION AND SEPARATE POSSESSION, DECLARATION AND MESNE PROFITS AND ETC. THIS APPEAL, COMING ON FOR ORDERS, THIS DAY,

JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR JUSTICE S.G.PANDIT and HON'BLE MR JUSTICE C.M. POONACHA

ORAL JUDGMENT

(PER: HON'BLE MR JUSTICE S.G.PANDIT) The appeal was admitted on 30.1.2019 and till this date process is not paid for issuance of notice to respondent Nos.1 and 3. For more than 5 years process is not paid.

2. Learned counsel for the appellants is not present in

the morning as well as in the afternoon. When the appellants have not taken steps for more than 5 years for service of notice to respondent Nos.1 and 3, it can be

said that the appellants have no interest in prosecuting the appeal. Even paper books -3- as ordered are not filed. The appeal is dismissed for non prosecution. (S.G.PANDIT) (C.M. POONACHA) ND List No.: 1 SI No.: 33

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