

(2024) 06 KAR CK 0012

In the Karnataka High Court

Case No : Regular Second Appeal No. 416 Of 2018 (DEC/INJ)

D. Raju & Others

APPELLANT

Vs

Meenakshamma & Others

RESPONDENT

Date of Decision : 13-06-2024

Acts Referred:

Citation : (2024) 06 KAR CK 0012

Hon'ble Judges : H.P. Sandesh, J

Bench : Single Bench

Advocate : Ravindra Prasad B, K. Varaprasad

Final Decision : Dismissed

Judgement

H.P. Sandesh, J

This appeal is filed in the year 2018 and the matter was listed before the Registrar (Judicial) on 15.09.2018 and the learned counsel for the appellants was absent. However, one week's time was granted to comply with the office objections. The matter was listed before this Court on 13.02.2019 and four weeks time was granted to do the needful and the same was not done. Again the matter was listed on 28.03.2023 and the learned counsel for the appellants was absent. However, in the ends of justice, three weeks time was granted to comply with the office objections on payment of cost of Rs.1,000/- payable at the Registry. It was also made clear that if the cost is not paid and the office objections are not complied within three weeks, list the matter for dismissal on 18.04.2023. When the matter was listed on 18.04.2023, the learned counsel for the appellants submitted that defendant No.4, who has been arrayed as respondent in the original suit has not been made as a party in the regular appeal as well as in this proceeding as he is not a necessary party. The submission of the learned counsel was accepted. The learned counsel though sought time on 18.04.2023 to file necessary application, not filed the same and not pursuing the matter diligently from 2018 to 2024 for a period of six years

and not complied with the office objections. Today also there is no representation. Hence, the appeal is dismissed for non-compliance of office objections and for non-filing of necessary application.