

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF OCTOBER, 2019

BEFORE

THE HON'BLE MR.JUSTICE B.M.SHYAM PRASAD

REGULAR SECOND APPEAL No. 635 OF 2017 (MON)

BETWEEN:

RIYAZ
SON OF FAIROSE AHAMED,
AGED ABOUT 34 YEARS,
REPRESENTED BY HIS GPA HOLDER,
K. MANSOOR AHAMAD
AGED ABOUT 53 YEARS,
SON OF LAE A. B. ABDUL KHALI
BUSINESSMAN, R/AT ALUR POST,
CHIKKAMAGALURE TALUK AND DISTRICT
... APPELLANT
(BY SRI. SACHIN B. S., ADVOCATE (ABSENT))

AND:

1. FEDERAL BANK LTD.
A COMPANY REGISTERED UNDER
COMPANIES ACT OF 1956
HAVING ITS REGISTERED OFFICE AT
ALWAYE, KERALA
AND HAVING ITS BRANCH OFFICE AT
THOGARIHANKAL CIRCLE
CHIKMAGALURE CITY
RERPESENTED BY ITS
PRINCIPAL OFFICER CUM
MANAGER AT ITS CHIKKMAGALORE
BRANCH SIR RAJEEV V. C. – 577 101.

2. SMT JAYASHREE S
WIFE OF LATE JAGANATH
AGED ABOUT 48 YEARS.
3. KUM SANDHYA
DAUGHTER OF LATE JAGANATH
AGED ABOUT 25 YEARS.
4. MASTER SACHIN
SON OF LATE JAGANATH
AGED ABOUT 18 YEARS.

ALL ARE RESIDING AT DODDAIBEEDI,
ALUR POST,
CHIKKAMGALURE TALUK AND DISTRICT – 577 101.

5. SMT MARY MD
WIFE OF P. P. VERGHESE
AGED ABOUT 58 YEARS,
R/AT NEAR KEB OFFICDE
BALEHONNUR ROAD, ALDUR POST,
CHIKKAMGALURE TALUK AND DISTRICT – 577 101.
... RESPONDENTS

THIS REGULAR SECOND APPEAL IS FILED UNDER SEC.100 OF CPC 1908, AGAINST THE JUDGEMENT AND DECREE DATED 13.12.2016 PASSED IN R.A. NO. 34/2016 ON THE FILE OF THE PRINCIPAL SENIOR CIVIL JUDGE & CJM., CHIKKAMAGALURU., DISMISSING THE APPEAL AND CONFIRMING THE JUDGEMENT AND DECREE DATED 30.01.2016 PASSED IN OS. NO. 79/2008 ON THE FILE OF THE PRINCIPAL CIVIL JUDGE & JMFC., CHIKKAMAGALURU.

THIS REGULAR SECOND APPEAL COMING ON FOR ORDERS THIS DAY, THE COURT DELIVERED THE FOLLOWING:

JUDGMENT

None appears for the appellant. This Court on 31.07.2019 had adjourned the appeal granting three weeks time for compliance with the office objections subject to the condition that the appeal would be listed for dismissal if there is failure to comply with the office objections. Despite this preemptory order, the office objections have not been complied with. It is obvious that the concerned is not interested in prosecuting the appeal. Therefore, the appeal is dismissed for default.

**SD/-
JUDGE**

SA
Ct:sr