



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 12TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE R DEVDAS

CIVIL REVISION PETITION NO. 20 OF 2026

BETWEEN:

SRI MARKONDAPPA
S/O LATE. RAMAIAH,
AGED ABOUT 63 YEARS
R/AT CHINNAPURA VILLAGE,
KOLAR TALUK & DISTRICT - 563 101

...PETITIONER

(BY SRI. S VENKATESH SHASTRY., ADVOCATE)

AND:

SRI. R. MUNIKRISHNAPPA
S/O LATE. RAMAIAH,
AGED ABOUT 73 YEARS
R/AT CHINNAPURA VILLAGE,
KOLAR TALUK & DISTRICT-563 101

...RESPONDENT

(BY SRI. VISWESWARAIAH S., ADVOCATE)

Digitally signed
by JUANITA
THEJESWINI

Location: HIGH
COURT OF
KARNATAKA

THIS CRP IS FILED U/S. 115 OF CPC PRAYING TO CALL
FOR THE RECORDS AGAINST THE ORDER DATED 12.12.2025,
PASSED IN EX.NO.53/2023 ON THE FILE OF THE PRL. CIVIL
JUDGE AND JMFC, KOLAR, ALLOWING THE PETITION FILED BY
THE DECREE HOLDER.

THIS PETITION, COMING ON FOR ADMISSION, THIS DAY,
ORDER WAS MADE THEREIN AS UNDER:



CORAM: HON'BLE MR. JUSTICE R DEVDAS

ORAL ORDER

This Civil Revision Petition is filed by the Judgment Debtor in O.S.No.377/2006, who is also the respondent in the execution case filed at the hands of the Decree Holder in Execution Case No.53/2023 on the file of the learned Principal Civil Judge and JMFC at Kolar.

2. For the sake of convenience, the parties shall be referred to in terms of their ranking before the Trial Court.

3. The suit which was filed by the plaintiff seeking permanent injunction was allowed and a judgment and decree was passed by the Trial Court, permanently injunctioning the defendant from interfering with the suit schedule property. The regular appeal and regular second appeal filed at the hands of the defendant were also dismissed. However, in spite of the judgment and decree being passed against the defendant, since there was interference at the hands of the defendant Judgment



Debtor, the plaintiff filed execution case for executing the decree of permanent injunction.

4. The Judgment Debtor is before this Court aggrieved of the impugned order dated 12.12.2025 passed by the learned Principal Civil Judge and JMFC, Kolar in Execution Case No.53/2023, where the Judgment Debtor is directed to pay costs of Rs.1,000 to the Decree Holder and it is declared that the Judgment Debtor has willfully disobeyed the decree of permanent injunction and therefore, the Judgment Debtor is directed to be detained in civil prison for a period of 30 days, while passing an order of attachment of the immovable property belonging to the Judgment Debtor for a period of one year.

5. The Judgment Debtor has filed an Affidavit dated 07.02.2026 clearly stating that he will not interfere with the peaceful possession of the suit schedule property and will never do it in future and will not violate the decree passed by the Court.



6. In view of the undertaking given by the petitioner/Judgment Debtor, this Court has the considered opinion that the impugned order passed by the Executing Court need not be executed at this juncture.

7. Accordingly, the Civil Revision Petition stands ***disposed of*** while setting aside the impugned order dated 12.12.2025 passed by the learned Principal Civil Judge and JMFC, Kolar in Execution Case No.53/2023, only on the basis of the Affidavit filed by the petitioner/Judgment Debtor, clearly undertaking not to interfere with the peaceful possession of the suit schedule property at the hands of the plaintiff in future. The petitioner/ Judgment Debtor shall be fully bound by the undertaking given before this Court.

Sd/-
(R DEVDAS)
JUDGE

DL
CT: JL