



CNR: KAHC010148442026

NC: 2026:KHC:42110
WP No. 6661 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 10TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO. 6661 OF 2026 (GM-CPC)

BETWEEN:

BOREGOWDA,
S/O BOREGOWDA,
AGED ABOUT 59 YEARS,
R/ AT N BINDINAHALLI VILLAGE,
DANDIGANAHALLI HOBLI,
CHANNARAYAPATNA TALUK,
HASSAN DISTRICT.

...PETITIONER

(BY SMT. SHRUTHI.S.P., ADVOCATE)

AND:

K.P.KRISHNEGOWDA,
S/O K.N. PUTTEGOWDA,
AGED ABOUT 54 YEARS,
R/A KIRISAVE VILLAGE,
HIRISAVE HOBLI,
CHANNARAYAPTNA TALUK,
HASSAN DISTRICT.

...RESPONDENT

(BY SRI. GIRIDHAR H., ADVOCATE)

THIS WP IS FILED UNDER ARTICLE 227 OF THE
CONSTITUTION OF INDIA PRAYING TO QUASHING THE ORDER
DATED 12.01.2026 PASSED BY SNR. CIVIL JUDGE AND JMFC
CHANNARAYAPATNA IN EX 75/2023 ANNEX-E AND ETC.,

Digitally signed
by SUVARNA T
Location: HIGH
COURT OF
KARNATAKA



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THIS PETITION, COMING ON FOR ORDERS, THIS DAY,
ORDER WAS MADE THEREIN AS UNDER:
CORAM: HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

ORAL ORDER

The present writ petition is filed questioning the order dated 12.01.2026 passed by the Senior Civil Judge and JMFC, Channarayapatna, in Ex. No.75/2023, by virtue of which the sale proclamation came to be issued by the Court.

2. When the matter came up for hearing, a Co-ordinate Bench of this Court passed an order dated 10.04.2026, staying the impugned proceedings, subject to the condition that the petitioner shall deposit Rs.5,00,000/- before the Executing Court by the end of April 2026.

3. It is the submission of the learned counsel for the petitioner that, pursuant to the interim order, the petitioner has deposited the said amount.

4. Learned counsel appearing for the respondent submits that pursuant to the proclamation, the sale was conducted, and the sale certificate has also been issued. It is



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submitted that if the petitioner is aggrieved by the same, he has to question the said orders, and nothing survives for consideration in the present writ petition.

5. Learned counsel appearing for the petitioner submits that an appeal has been filed and the same is pending consideration. He further submits that the petitioner has come before this Court to challenge the sale proclamation. Even before that, the Trial Court had issued the sale certificate. Hence, it is submitted that the interest of the petitioner may be protected.

6. Having heard the learned counsel on either side, perused the material on record.

7. The petitioner has questioned the proclamation issued by the Trial Court. Thereafter, the Trial Court passed an order, and the sale certificate was also issued in favour of the respondent herein. In those circumstances, nothing survives for consideration in the present petition. The petitioner is at liberty to avail all the remedies available to him in accordance with law.



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8. However, the petitioner has deposited Rs.5,00,000/- pursuant to the interim order passed by this Court. Hence, this Court is of the view that the said amount is required to be returned to the petitioner.

9. In that view of the matter, this Court is passing the following:

ORDER

- i. Accordingly, the writ petition is ***disposed of***, giving liberty to the petitioner to avail the appropriate remedies in accordance with law.
- ii. The Court is directed to return to the petitioner an amount of Rs.5,00,000/- deposited pursuant to the interim order passed by this Court.
- iii. Pending IAs, if any, shall stand closed.

**Sd/-
(LALITHA KANNEGANTI)
JUDGE**

SMC
List No.: 1 Sl No.: 4