



IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 7TH DAY OF JULY, 2026
BEFORE
THE HON'BLE MR. JUSTICE VIJAYKUMAR A. PATIL
WRIT PETITION NO.9160/2022 (GM-CPC)

BETWEEN:

SRI. NAGARAJU
AGED 45 YEARS
S/O THIMMA SHETTY
R/O ALLAMPURA VILLAGE
KASABA HOBLI
CHIKKAMAGALURU TALUK
AND DISTRICT - 577 101.

...PETITIONER

(BY SRI. GIRISH B. BALADARE, ADV.,)

AND:

SRI. NINGE GOWDA
AGED 40 YEARS
S/O LOKAPPA GOWDA
R/O ALLAMPURA VILLAGE
CHIKKAMAGALURU TALUK
AND DISTRICT - 577 101.

...RESPONDENT

(BY SRI. VIKAS M, ADV.,)

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THIS W.P. IS FILED UNDER ARTICLE 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO QUASH THE ANNEXURE-F THAT THE ORDER DTD 11.03.2022 PASSED BY THE IST ADDL. SENIOR CIVIL JUDGE AND JMFC COURT AT CHIKKAMAGALURU IN EXEUTION NO.187/2019 CONSEQUENTLY DISMISS THE EXECUTION PETITION & ETC.

Digitally signed
by RUPA V
Location: HIGH
COURT OF
KARNATAKA



THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE VIJAYKUMAR A. PATIL

ORAL ORDER

This petition is filed seeking for the following relief:

"Issue writ of certiorari or any other appropriate writ, directions or order quashing the Annexure 'F' that the order dated 11.03.2022 passed by the I Addl. Senior Civil Judge and JMFC Court at Chikkamagaluru in Execution No.187/2019 consequently dismiss the execution petition in the interest of justice and equity".

2. Heard Sri.Girish B.Baladare, learned counsel for the petitioner and Sri.Vikas M., learned counsel for the respondent.

3. The petitioner is the judgment debtor in Ex.P.No.187/2019. The decree holder has filed the said execution petition seeking to execute the decree drawn before the Lok Adalat on 22.10.2018. As per the compromise decree, the judgment debtor-petitioner is



liable to pay Rs.8,00,000/- and further, the decree makes it clear that the judgment debtor has paid Rs.2,00,000/-, he has to make the payment of Rs.3,00,000/- on or before 22.08.2019 and the remaining Rs.3,00,000/- before 22.10.2019 failing which the judgment debtor is liable to pay the interest at the rate of 18% p.a. on Rs.6,00,000/-.

4. It is contended by the petitioner that on 01.02.2020, the judgment debtor has paid Rs.2,00,000/- and thereafter also he has made certain payments. It is required to be noticed that the judgment debtor has failed to make the payment as per the decree and hence, he is liable to pay the interest as agreed in the terms of the compromise which is a part of the decree. Hence, the Executing Court, considering the said aspect has issued warrant for attachment of movables.

5. Admittedly, the judgment debtor has not adhered to the decree and has not made the payment. Hence, he is liable to pay the interest and make good the



same. For not making the payment as agreed, the Executing Court has rightly issued the warrant. I do not find any reason to interfere with the order passed by the Executing Court calling for interference in this writ petition. Accordingly, I proceed to pass the following:

ORDER

The writ petition is devoid of merits and is hereby rejected.

Sd/-
(VIJAYKUMAR A. PATIL)
JUDGE

RV
List No.: 1 SI No.: 34