



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 2ND DAY OF JULY, 2026

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO. 10989 OF 2026 (GM-CPC)

BETWEEN:

1. SRI. RAMESH PRABHU
AGED ABOUT 68 YEARS,
S/O LATE DEVARAYA PRABHU
2. SRI. PRABHAKAR PRABHA
AGED ABOUT 70 YEARS
S/O LATE DEVARAYA PRABHU
3. SRI GANAPATHI PRABHU
AGED ABOUT 65 YEARS.
S/O LATE DEVARAYA PRABHU
4. SRI. GANESH PRABHU
AGED ABOUT 62 YEARS
S/O LATE DEVARAYA PRABHU

ALL ARE RESIDING AT
POST UPPUNDA VILLAGE - 576 232
KUNDAPURA TALUK
UDUPI DISTRICT

...PETITIONERS

(BY SRI. K. CHANDRANATH ARIGA, ADVOCATE)

AND:

1. SRI. VENKA MENYA
AGED ABOUT 82 YEARS
S/O LINGAYYA MENYA



2. SMT. GIRIJA HENGASU
AGED ABOUT 77 YEARS
W/O VENKA MENYA
3. SMT SUBBI GANIGA
AGED ABOUT 85 YEARS
W/O MANJAYYA MENYA
4. SRI. NAGESH GANIGA
AGED ABOUT 63 YEARS
S/O MANJAYYA GANIGA
5. SRI RAMA GANIGA
AGED ABOUT 61 YEARS
S/O MANJAYYA MENYA
6. SMT NAGARATHNA GANIGA
AGED ABOUT 56 YEARS
D/O MANJAYYA MENYA
7. SRI CHANDRA GANIGA
AGED ABOUT 54 YEARS
S/O MANJAYYA MENYA
8. SRI CHIKKAYYA GANIGA
AGED ABOUT 52 YEARS
S/O MANJAYYA MENYA
9. SMT LAKSHMI GANIGA
AGED ABOUT 50 YEARS
D/O MANJAYYA MENYA
10. SRI NARAYANA MENYA
AGED ABOUT 81 YEARS
S/O LINGAYYA MENYA
11. SMT PARVATHY HENGASU
W/O NARAYANA MENYA
AGED ABOUT 75 YEARS



RESPONDENTS NO.1 TO 11 ARE
RESIDING AT POST
NANDANAVANA VILLAGE - 576 219
KUNDAPURA TALUK,
UDUPI DISTRICT

...RESPONDENTS

THIS WP IS FILED UNDER ARTICLE 227 OF THE
CONSTITUTION OF INDIA PRAYING TO A) DIRECT THE CIVIL
JUDGE AND JMFC BAINDURU TO DISPOSE OFF EX. CASE NO.
63/2023 IN A TIME BOUND MANNER. B) ALLOW THIS WRIT
PETITION AND ETC.

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

CORAM: HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

ORAL ORDER

The present writ petition is filed seeking a writ of
mandamus directing the Civil Judge and JMFC, Bainduru, to
dispose of Execution Petition No.63/2023 in a time-bound
manner.

2. Learned counsel appearing for the petitioners
submits that the suit is of the year 1993 and the same came to
be decreed in the year 2009. It is submitted that the execution



petition was also filed in the year 2009 and was subsequently transferred to the present Court, where it has been renumbered as Execution Petition No.63/2023. It is further submitted that the execution petition has been pending for the last 17 years and the same is not considered.

3. Learned counsel appearing for the petitioners submits that the suit is of the year 1993, and the same came to be decreed in the year 2009, and in the year 2009 itself, the execution petition was filed and later, it was transferred to the present court and re-numbered as its Execution Petition No.63/2023. It is submitted that for the last 17 years, the execution petition has been pending, and the same has not been considered.

4. Considering the fact that the suit is of the year 1993 and the execution petition was filed in the year 2009, it is still pending before the Court, this Court is of the considered opinion that the execution petition deserves to be disposed of expeditiously.

5. Accordingly, this Court is passing the following:



ORDER

- i. The writ petition is **disposed of**, and the Civil Judge and JMFC, Bainduru, is requested to dispose of Execution Petition No.63/2023 within an outer limit of 6 months from the date of receipt of the copy of the order.
- ii. This Court is not issuing notice to the respondents as no adverse orders are passed against them and disposal of the case is in the interest of both the parties.
- iii. Pending IAs, if any, shall stand closed.

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

SMC
List No.: 1 SI No.: 5