



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21ST DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

WRIT PETITION NO. 11238 OF 2026 (GM-CPC)

BETWEEN:

DR. R C PARINITHA
AGED ABOUT 62 YEARS.
R/AT NO.294, 39TH CROSS
10TH MAIN, 5TH BLOCK
JAYANAGAR, BENGALURU

...PETITIONER

(BY SRI. GOUTHAM M., ADVOCATE)

AND:

SRI A M SUDHAKAR
AGED ABOUT 57 YEARS
R/AT NO.67, 15TH CROSS
14TH B MAIN, 4TH SECTOR
HSR LAYOUT BENGALURU - 560102.

...RESPONDENT

(BY SRI.YESHU MISHRA, ADVOCATE FOR C/R)

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF
THE CONSTITUTION OF INDIA PRAYING TO ISSUE WRIT IN

Digitally signed by
DHANALAKSHMI
MURTHY

Location: HIGH
COURT OF
KARNATAKA



THE NATURE OF CERTIORARI OR ANY OTHER WRIT TO QUASH THE IMPUGNED ORDER DATED: 17.03.2026 PASSED BY THE HON'BLE XXXI ADDL. CITY CIVIL AND SESSIONS JUDGE AT BENGALURU IN IA NO. 1 FILED BY THE RESPONDENT UNDER ORDER 21 RULE 54 OF CPC IN EXECUTION PETITION NO. 1794/2024 AS PER ANNEXURE-A AND ETC.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:
CORAM: HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

ORAL ORDER

This writ petition is filed by judgment debtor No.2 under Article 227 of the Constitution of India, challenging the order dated 17.03.2026 passed by the XXXI Additional City Civil and Sessions Judge, Bengaluru (hereinafter referred to as the "trial court") on I.A. No.1 in Ex. No.1794/2024, whereby the said application filed by the decree-holder under Order XXI Rule 54 r/w. Section 151 of the Code of Civil Procedure (for short, "CPC") was allowed and proclamation was ordered in respect of the schedule property.

2. For the sake of convenience, the parties are referred to as per their ranking before the trial court.



3. The learned counsel appearing for the petitioner/judgment debtor No.2 has filed an affidavit of the judgment debtor stating that, if this Court grants some reasonable time, she undertakes to pay the decretal amount without any further litigation.

4. The petitioner has also submitted two demand drafts for a sum of Rs.35,00,000/- (Rupees Thirty-Five Lakhs only), bearing D.D. No.002169, and Rs.15,00,000/- (Rupees Fifteen Lakhs only), bearing D.D. No.002167, respectively, both dated 06.04.2026, drawn on HDFC Bank, in favour of the respondent/decreet-holder.

5. The learned counsel for the petitioner/judgment debtor No.2 submits that the amount of Rs.30,00,000/- (Rupees Thirty Lakhs only), deposited as a security deposit, is subject to adjustment towards damages, arrears of electricity charges, and BWSSB charges. Let this issue be decided by the Executing Court. The said sum of Rs.30,00,000/- shall be paid subject to the orders of the



Executing Court, to which the petitioner/judgment debtor No.2 has no objection.

6. As per the memo filed by the learned counsel for the petitioner, the total amount payable by the petitioner is Rs.2,10,05,532/- (Rupees Two Crores Ten Lakhs Five Thousand Five Hundred and Thirty-Two only), which is not disputed by the decree-holder.

7. Today, the petitioner/judgment debtor No.2 has paid a sum of Rs.50,00,000/- (Rupees Fifty Lakhs only) by way of the aforesaid two demand drafts. The remaining amount is Rs.1,60,05,532/- (Rupees One Crore Sixty Lakhs Five Thousand Five Hundred and Thirty-Two only). Out of the same, the petitioner/Judgment Debtor No.2 undertakes to pay a sum of Rs.1,30,05,532/- (Rupees One Crore Thirty Lakhs Five Thousand Five Hundred and Thirty-Two only) to the respondent/decreed-holder on or before the end of July 2026.



8. Insofar as the remaining Rs.30,00,000/- (Rupees Thirty Lakhs only) towards the security deposit is concerned, the same shall be subject to the decision of the Executing Court. If the Executing Court concludes that any amount is liable to be deducted towards damages, arrears of electricity charges, and BWSSB charges, such deducted amount shall be paid by the judgment debtor.

9. With the above observations, the writ petition stands disposed of.

The operation of the impugned order dated 17.03.2026 passed by the trial court is deferred till 31.07.2026.

Sd/-
(H.T. NARENDRA PRASAD)
JUDGE

CM
LIST NO.: 1 SL NO.: 21