



CNR: KAHC010288702021

NC: 2026:KHC:38027
W.P. No.14783/2021

IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 23RD DAY OF JULY, 2026
BEFORE
THE HON'BLE MR. JUSTICE VIJAYKUMAR A. PATIL
WRIT PETITION NO.14783/2021 (GM-CPC)

BETWEEN:

SRI. G.R. HANUMANTHAPPA
S/O GOWDRA RAMAPPA
AGED ABOUT 50 YEARS
R/AT THIMMENAHALLI VILLAGE
HONNALI TALUK
DAVANAGERE DISTRICT - 583 102.

...PETITIONER

(BY SRI. SREENIVAS R, ADV.,)

AND:

SRI. CHANDRAPPA .G
S/O GURUNANJAPPA
AGED ABOUT 52 YEARS
R/AT KATHALAGERE VILLAGE
CHANNAGIRI TALUK
DAVANAGERE DISTRICT 583 102.

...RESPONDENT

(BY SRI. VEERABHADRAIAH M.C. ADV.,)

THIS W.P. IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA, PRAYING TO STAY THE FURTHER PROCEEDINGS IN EXECUTION PETITION NO.20/2020 TILL THE PENDING DISPOSAL OF THIS WRIT PETITION AND CALL FOR THE RECORDS IN EXECUTION PETITION NO.20/2020. TO PERMIT THE PETITIONER TO DEPOSIT THE AMOUNT OF RS.2,75,000/- BEFORE THE TRIAL COURT AS PER THE JOINT MEMO AND DISPOSE THE SAID PETITION & ETC.

Digitally signed
by RUPA V
Location: HIGH
COURT OF
KARNATAKA



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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 the following reliefs:

"a) Stay the further proceedings in Execution petition No.20/2020 till the pending disposal of this writ petition and call for the records in Execution petition No.20/2020.

b) To permit the petitioner to deposit the amount of Rs.2,75,000/- before the trial Court as per the joint memo and dispose the said petition.

c) To Pass such other order as this Hon'ble Court deems fit and proper in the above said circumstances in the interest of justice and equity."

2. Heard the learned counsel for the petitioner, the learned counsel for the respondent and meticulously perused the material available on record.

3. The respondent filed a private complaint before the jurisdictional Court against the petitioner under Section 138 of the Negotiable Instruments Act, 1881 (for



short 'NI Act'). In the said proceedings, the petitioner and the respondent settled the dispute before the Lok Adalat and a joint memo was filed on 08.02.2020, where the petitioner agreed to pay Rs.3,25,000/- to the respondent. It is contended that on the said date, the petitioner has paid a sum of Rs.50,000/- to the respondent. The records indicate that the respondent subsequently filed Execution Petition No.20/2020. In the said proceedings, the petitioner - judgment debtor (JDR) filed a memo stating that he is ready to pay a sum of Rs.2,50,000/-. The Executing Court recorded the same and observed that the respondent - decree holder was not ready to accept the said amount. It was further recorded that if the agreed amount is paid, they are ready to receive the said amount. The order dated 09.04.2021, indicates that the Executing Court permitted the petitioner to file objections to IA.No.2 and the matter was adjourned to 26.05.2021.



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4. It is to be noticed that the petitioner had agreed before the Lok Adalat to pay a sum of Rs.2,75,000/- on 20.05.2020. It was further agreed that, if the petitioner fails to pay the said amount, he would be liable to pay the entire cheque amount of Rs.5,00,000/- to the respondent. Having failed to pay the amount as agreed, the petitioner is now seeking a stay of the execution proceedings, which cannot be considered without any justifiable reasons. Accordingly, the writ petition is devoid of merits and the same is ***rejected***.

Sd/-
(VIJAYKUMAR A. PATIL)
JUDGE

ABK
List No.: 1 Sl No.: 24