



CNR: KAHC010447072026

NC: 2026:KHC:51660
CRP No. 583 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21ST DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CIVIL REVISION PETITION NO. 583 OF 2026

BETWEEN:

OFFICIAL LIQUIDATOR OF
M/S KARNATAKA INFRASTRUCTURES
PRIVATE LIMITED (IN LIQUIDATION),
ATTACHED TO HIGH COURT OF
KARNATAKA, "CORPORATE BHAVAN",
NO.26-27, 12TH FLOOR,
RAHEJA TOWERS, M.G.ROAD,
BENGALURU - 560 001.
REPRESENTED BY SRI PRASHANT BALIYAN.

...PETITIONER

(BY MS. KRUTIKA RAGHAVAN, ADVOCATE)

AND:

SRI. VASANTH K BINAL,
EX-DIRECTOR OF M/S.KARNATAKA
INFRASTRUCTURES PRIVATE LIMITED
(IN LIQUIDATION),
KALYAN KUTEER, KHUBA PLOT,
STATION ROAD,
GULBARGA - 585 101.

...RESPONDENT

THIS CRP IS FILED UNDER SEC.115 OF CPC., PRAYING
TO (1) ALLOW THE INSTANT CIVIL REVISION PETITION AND
SET ASIDE THE IMPUGEND ORDER DATED 9.01.2026 PASSED



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BY THE V ADDITIONAL CITY CIVIL AND SESSIONS JUDGE,
BENGALURU, IN IA NO.1 IN EXECUTION PETITION
NO.580/2023.

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

CORAM: HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

ORAL ORDER

Aggrieved by the order passed on IA No.1 in
Ex.No.580/2023 dated 09.01.2026 by the V Additional City Civil
Court, Bengaluru, the petitioner is before this Court.

2. The facts of the case are that this petition is filed by
the Official Liquidator, i.e., M/s.Karnataka Infrastructure Private
Limited, aggrieved by the order dated 09.01.2026, passed in
Ex.P.No.580/2023. The decree was passed on 06.07.2006 in
Company Application No.1268/1992 under Section 543(1) of
the Companies Act in the course of winding up proceedings of
M/s. Karnataka Infrastructure Private Limited in Company
Petition No.11/1986.

3. The execution petition is filed by the decree holder
under Order 21 Rule 11 of the CPC to execute the order dated



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06.07.2006 passed by the Co-ordinate Bench of this Court in Company Application No.1268/1992. In the said execution, IA No.1 came to be filed by Judgment debtor No.14 under Section 47 of the CPC, R/w article 136 of the Limitation Act, seeking an order to reject the execution petition, as it is barred by limitation. That came to be allowed by the order impugned. In this petition, while allowing the application, the execution Court has observed that the decree holder filed this petition in view of Section 364 of the Companies Act, 1956, contending that the order of the Co-ordinate Bench of this Court may be enforced in the same manner as decree made by the Civil Court in suit pending with therein.

4. The Court observed that under Article 136 of the Limitation Act, the period of limitation for execution of any decree or order of any Civil Court is 12 years, when the decree or order become enforceable. The order in Company Application No.1268/1992 in Company Petition No.11/1986 was passed on 06.07.2006. The present petition is filed on 23.02.2023. Since the present petition is not filed within the 12 years from the date of the order, which became enforceable, the petition is



barred by limitation. In the judgment relied on by the learned counsel for judgment Debtor No.14, the Co-ordinate Bench of this Court and High Court of Madras held that the period of limitation cannot be condoned in the execution proceedings.

5. The learned counsel representing the Official Liquidator submits that the Court has failed to consider the submissions that are made on behalf of the petitioner. It is submitted that the company is under liquidation and the Official Liquidator filed an application seeking for execution of the same, the Court ought to have considered the pending proceedings and the orders that were passed. Therefore, the order impugned needs to be set aside.

6. Having heard the learned counsel for the petitioner, this Court has perused the order. Wherein the Court has rightly held that the period of limitation cannot be condoned in the execution proceedings from the date of the decree, within 12 years they have to file the execution proceedings. Admittedly, in this case, the order is passed on 06.07.2006 and the execution is filed in the year 2023. The executing Court has



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rightly passed the impugned order. There are no reasons to interfere. Hence, this Court is passing the following:

ORDER

- i. Accordingly, the CRP is ***dismissed***.
- ii. All Pending IAs in this petition shall stand closed.

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

BH
List No.: 1 Sl No.: 10
*MR