IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 18TH DAY OF DECEMBER, 2020

BEFORE

THE HON'BLE MR. JUSTICE KRISHNA S.DIXIT

WRIT PETITION NO.13983 OF 2020 (GM-CPC)

BETWEEN:

SRI SHIVAKUMAR
S/O NARASIMHAMURTHY,
AGED ABOUT 51 YEARS,
R/AT L-9, 3RD MAIN ROAD,
8TH CROSS, L N PURA,
BENGALURU 560021.

...PETITIONER

(BY SRI. RUDRAPPA P, ADVOCATE)

AND:

G RAVIKUMAR
DEAD BY LRS

1. (A) PUSHPALATHA,
W/O G RAVIKUMAR,
AGED ABOUT 38 YEARS,

1. (B) JANAVI,
D/O G RAVIKUMAR,
AGED ABOUT 9 YEARS,

1. (C) VAISHNAVI
D/O G RAVIKUMAR,
AGED ABOUT 8 YEARS,

RESPONDENTS NO.1(B) AND 1(C)
ARE MINORS REPRESENTED BY
THEIR NATURAL GUARDIAN MOTHER
BY NAME PUSHPALATH
W/O LATE G RAVIKUMAR
RESIDENTS OF NUGGEHALLI VILLAGE
AND HOBLI, CHANNARAYAPATTANA TALUK,
HASSAN DISTRICT 573131.

...RESPONDENTS

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE CIVIL JUDGE AND JMFC COURT TURUVEKERE, TO COMPLETE THE PROCESS OF APPOINTMENT OF COURT COMMISSIONER TO EXECUTE THE REGISTERED SALE DEED IN FAVOUR OF THE PETITIONER/DECREE HOLDER WITHIN THE PERIOD OF THREE MONTHS AND ETC.

THIS WRIT PETITION COMING ON FOR PRELIMINARY HEARING THIS DAY THROUGH PHYSICAL HEARING, THE COURT MADE THE FOLLOWING:

ORDER

Petitioner being the Decree Holder in Execution No.17/2017 (O.S.No.170/2015) is knocking at the doors of Writ Court for a direction to the learned Senior Civil Judge, Turuvekere, to dispose off his application filed under Order XXVI Rule 9 of CPC, 1908 seeking appointment of the Court Commissioner, as expeditiously as possible.

2. Having heard the learned counsel for the petitioner and having perused the petition papers, this Court is of a considered view that the subject application needs to be disposed off as expeditiously as possible after hearing all the stakeholders inasmuch as the suit is of the year 2015.

In the above circumstances, this writ petition is disposed off requesting the learned trial Judge to dispose off

the subject application before the onset of Summer Vacation - 2021.

All contentions of the parties are otherwise kept open.

Sd/-
JUDGE

cbc