HC-KAR

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE E.S. INDIRESH

WRIT PETITION NO.3040 OF 2022 (CS-RES)

BETWEEN:

SRI. AKRAM ULLA
S/O LATE JALAL UDDIN @
DR. MULLA JALAL UDDIN SAHEB,
AGED ABOUT 43 YEARS,
R/AT NISHANTH NURSING HOME,
NH-66, BHATKAL TALUK,
UDUPI DISTRICT.

...PETITIONER

(BY SRI. SADASHIVAIAH K.G., ADVOCATE)

AND:

1. ASSISTANT REGISTRAR OF
CO-OPERATIVE SOCIETIES AND
RECOVERY OFFICER
KUNDAPURA SUB-DIVISION,
KUNDAPURA TALUK,
UDUPI - 576 201.

2. BHATKAL URBAN BANK CO-OPERATIVE BANK LTD.
BHATKAL,
REP. BY THE CHIEF EXECUTIVE OFFICER,
UDUPI DISTRICT - 576 201.

3. M/S KOSAR INFOTECH TELE
COMMUNICATION PVT. LTD.
NO.87/88, NAVADEEP BUILDING,
1ST FLOOR, WHEELERS ROAD,
KOUKS TOWN,
BENGALURU.
DIRECTOR: MOHAMMED NOORUDDIN

Digitally signed by
CHAYA S A
Location: HIGH
COURT OF
KARNATAKA

MOHAMMED GOUSE MANEGAR,
NAYEEM MANJIL, MUSLIM STREET,
SHIROOR,
UDUPI TALUK AND DISTRICT - 576 214.

4. DR. SAMIULLA
S/O DR. JALAL UDDIN,
NISHATH NURSING HOME,
NH-17, SOOSGADI, BHATKAL,
UTTARA KANNADA DISTRICT - 581 320.

5. MOHAMMED NASIR
S/O MOHAMMED GOUSE,
MANEGAR, MUSLIM STREET,
SHIROOR,
UDUPI TALUK AND DISTRICT - 576 124.

6. BEEBI SHARAHABANU
W/O MOHAMMED GOUSE KERI
MUSLIM STREET, SIROOR,
UDUPI TALUK AND DISTRICT - 576 124.

MULLA ALI
S/O MULLA SHAMSHUDDEEN,
SINCE DEAD, REP BY HIS LRS.

7. BABY SHAHARABANU
W/O MULLA ALI,
MUSLIM MOHALLA,
SHIROOR,
UDUPI TALUK AND DISTRICT - 576 124.

8. FATHIMA SUGRA
W/O NOORUDDIN MOHAMMED,
GOUSE MANEGAR,
NAYEEM MANJIL, MUSLIM STREET
SHIROOR,
UDUPI TALUK AND DISTRICT - 576 124.

9. MULLA MUKTHAYAAR AHMED
S/O MULLA ALI,
MUSLIM MOHALLA,

SHIROOR,
UDUPI TALUK AND DISTRICT - 576 214.

10. NASHIKA BANU
W/O MULLA BASHA,
UDDINA BAIL,
SHIROOR,
UDUPI TALUK AND DISTRICT - 576 124.

11. AKIYAAR AHMED
S/O MULLA ALI,
MUSLIM MOHALLA,
SHIROOR,
UDUPI TALUK AND DISTRICT - 576 124.

12. SMT. MUSHARATH
D/O MULLA ALI,
MUSLIM KERI, BAINDUR,
KUNDAPURA TALUK,
UDUPI - 576 214.

13. SARFARAJ
S/O MULLA ALI,
AGED ABOUT 48 YEARS,
MUSLIM MOHALLA, SHIRUR,
KUNDAPURA TALUK
UDUPI - 576 214.

14. SHAMEEN ATTAR
W/O SYED MOHIDDIN,
AGED ABOUT 45 YEARS,
BHUKARI COLONY,
SHIRUR, BAINDUR TALUK,
UDUPI DISTRICT - 576 214.

…RESPONDENTS

(BY SRI. H.K. KENCHEGOWDA, AGA FOR R1;
SRI. DILRAJ ROHIT SEQUEIRA, ADVOCATE FOR R2;
SRI. N.S. MALLIKARJUNA, ADVOCATE FOR R14;
R3 AND R5 TO R13 - SERVED)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO QUASH THE ORDER PASSED BY THE RESPONDENT NO.1 IN EXECUTION PETITION NO.52/2013-14 *(DISPUTE NO.472/2010-11)* DATED 16TH FEBRUARY, 2021 IN RESPECT OF SY.NO.126.3/BP3 MEASURING 18.50 CENTS AND SY.NO.126.4/BP1 OF SHIRUR VILLAGE, BAINDUR TALUK, UDUPI DISTRICT VIDE ANNEXURE-A; DIRECT THE RESPONDENT NO.1 TO HEAR THE PETITIONER AND HIS FAMILY MEMBERS AND PASS APPROPRIATE ORDERS IN THE MATTER AS PER LAW; AND ETC.

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

CORAM: HON'BLE MR. JUSTICE E.S.INDIRESH

ORAL ORDER

In this petition, the petitioner is challenging the order dated 16th February, 2021 (Annexure-A) passed by the respondent No.1 in Execution Petition No.52/2013-14 *(Dispute No.472/2010-11)* in respect of Survey Nos.126.3/BP3 and 126.4/BP1.

2. Heard Sri. Sadashivaiah K.G., learned counsel appearing for the petitioner; Sri. H.K. Kenchegowda, learned Additional Government Advocate appearing for the respondent No.1; Sri. Dilraj Rohit Sequeira, learned counsel appearing for the respondent No.2; and Sri. N.S. Mallikarjuna learned counsel appearing for the respondent No.14.

3. Having heard the learned counsel appearing for the parties and on perusal of the writ papers, the same would indicate that the petitioner herein has not challenged the original order/award passed by the competent authority. It is also to be noted that the petitioner has not complied with the interim order dated 08th December, 2022 passed by this Court. In that view of the matter, I am of the view that, no interference be called for in this petition. Accordingly, writ petition is ***dismissed.***

In view of disposal of the writ petition, pending applications does not survive for consideration.

SD/-
(E.S. INDIRESH)
JUDGE

ARK
List No.: 2 Sl No.: 10