HC-KAR

NC: 2026:KHC:54711
WP No. 18659 of 2019

CNR: KAHC010361482019

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 1ST DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

WRIT PETITION NO.18659 OF 2019 (GM-CPC)

BETWEEN:

1. A.V.SEETHALAKSHAMAMMA
   W/O D.REDDAPPA
   AGED ABOUT 56 YEARS

2. R.RADHA
   D/O D.REDDAPPA
   AGED ABOUT 37 YEARS

3. R.RUKMINI
   D/O D.REDDAPPA
   AGED ABOUT 34 YEARS

4. R.PARIMALA
   D/O D.REDDAPPA
   AGED ABOUT 32 YEARS

5. R.BHARATH REDDY
   S/O D.REDDAPPA
   AGED ABOUT 30 YEARS

   ALL ARE RESIDING AT
   DODAMALA DODDI VILLAGE
   KASABA HOBLI - 563135
   SRINIVASAPUR TALUK
   KOLAR DISTRICT

...PETITIONERS

(BY SRI. KRISHNAMOORTHY D, ADVOCATE)

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SACHIN SHANKAR MAGADUM
Verified

AND:

1. D.V.REDDAMMA
W/O R.S.VENKATA REDDY
D/O LATE PATEL VENKATASHAMY
SINCE DEAD BY HER LRS.,

1(A) R.V.SRIDAR
S/O R.S.VENKATA REDDY
AGED ABOUT 47 YEARS
RESIDING AT NO.347
SAI PRAGATHI APARTMENT
3RD FLOOR, 9TH MAIN, 9TH CROSS
NTI LAYOUT
NEAR GREEN COURT APARTMENT
VIDYARANYAPURA
BENGALURU – 560097.

1(B) R.V.SRINATH
S/O R.S.VENKATA REDDY
AGED ABOUT 42 YEARS

1(C) R.V.SRIKANTH HEGADE
S/O R.S.VENKATA REDDY
AGED ABOUT 36 YEARS

RESPONDENT NOS.1(B) AND 1(C)
ARE RESIDING AT
DOOR NO.2115, D.V.G ROAD
VENKATESHWARA EXTENSION
SRINIVASA PURA TOWN
KOLAR – 563135

1(D) R.V.SRIDEVI
W/O SATHISH CHANDRA REDDY
S/O R.S.VENKATA REDDY
AGED ABOUT 40 YEARS
RESIDING AT
IMARAKUNTE VILLAGE
RONUR HOBLI

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SRINIVASA PURA TALUK
KOLAR - 563135

…RESPONDENTS

(BY SRI.VEERANNA G TIGADI, ADVOCATE FOR
SRI.MANJUNATHA N BYRAREDDY, ADVOCATE FOR R.1(A)
R.1(B) TO R.1(D) – SERVED)

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO CALL FOR THE RECORDS AND ON EXAMINATION OF THE SAME BE PLEASED TO QUASH THE ORDER IMPUGNED DATED 09.04.2019 PASSED BY THE PRL.SENIOR CIVIL JDUGE AND CJM; KOLAR IN O.S.168/2018 PRODUCED AT ANNEXURE-E AND ALLOW THE W.P. AND ETC.,

THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

ORAL ORDER

Captioned petition is filed by the defendants, calling in question the order dated 09.04.2019 passed by the learned Trial Court in O.S.No.168/2018, whereby the application filed by the plaintiff seeking permission to conduct a public auction among the family members in

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respect of the mango crop standing on the 'A' and 'B' schedule properties came to be allowed. By the impugned order, the learned Trial Court has permitted the parties to conduct an in-house family auction in respect of the mango crop standing on the 'A' and 'B' schedule properties and has further directed the highest bidder to deposit the entire bid amount.

2. This Court has heard the learned counsel appearing for the petitioners. Though notice has been served on the respondents, there is no representation on their behalf.

3. The principal grievance of the petitioners is that the direction requiring the highest bidder to deposit the entire bid amount is onerous and harsh, particularly when the proceedings arise out of a partition suit and the subject matter of the suit essentially concerns the share claimed by the plaintiff. The submission, at first blush, merits consideration. However, it is not in dispute that the

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parties have already completed their evidence and the suit is presently set down for final arguments. At this advanced stage of the proceedings, this Court is not inclined to interfere with the impugned order, particularly having regard to the limited purpose for which the auction arrangement was directed.

4. It is also brought to the notice of this Court that, on account of the disputes between the parties, no crops are presently being raised in the suit schedule properties and that the arrangement directed by the Trial Court was intended to operate only as a one-time measure. Since the suit has already reached the stage of final arguments, the Trial Court shall ensure that both sides are afforded reasonable opportunity to advance their arguments and shall thereafter proceed to dispose of the suit expeditiously. This direction assumes significance in view of the fact that the parties have now been permitted to realise the proceeds from the crop standing on the suit

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schedule properties only through the auction mechanism directed by the Trial Court.

5. In that view of the matter, no interference is warranted with the impugned order. However, considering the stage of the proceedings, the learned Trial Judge is directed to dispose of O.S.No.168/2018, as expeditiously as possible and, in any event, within an outer limit of four months from the date of receipt of a copy of this order, subject to there being no impediment in law.

With the above observations and directions, the writ petition stands ***disposed of***.

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(SACHIN SHANKAR MAGADUM)
JUDGE

NBM