HC-KAR

NC: 2026:KHC:61954
WP No. 30590 of 2026

CNR: KAHC010667892026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 5TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE K. V. ARAVIND

WRIT PETITION NO. 30590 OF 2026 (GM-CPC)

BETWEEN:

1. SMITHA. R.,
   W/O K. MALLU,
   AGED ABOUT 48 YEARS,
   R/O NO.776, SRI HARI NILAYAM,
   9TH MAIN ROAD,
   SRI SRINIVASA NAGAR CIRCLE,
   BANASHANKARI 1ST STAGE,
   BANGALORE - 560050.

2. K.MALLU
   S/O LATE KALEGOWDA
   AGED ABOUT 50 YEARS,
   R/O NO.776, SRI HARI NILAYAM,
   9TH MAIN ROAD,
   SRI SRINIVASA NAGAR CIRCLE,
   BANASHANKARI 1ST STAGE,
   BANGALORE - 560050

...PETITIONERS

(BY SMT. SHILPA M. R., ADVOCATE)

Digitally signed by VIJAYA P
Location: High Court of Karnataka

AND:

1. CHANDRAN S.,
   S/O LATE SUBRAMANI,
   AGED ABOUT 70 YEARS,
   R/AT NO.29, 9TH CROSS,
   VINAYAKA GANGAVATHI ROAD,
   VASANTHAPURA MAIN ROAD,

KONANKUNTE CROSS,
DODDAKALLSANDRA ROAD,
KANAKAPURA MAIN ROAD,
BANGALORE- 560062

2. RADHA,
W/O CHANDRAN.S,
AGED ABOUT 57 YEARS,
R/AT NO.29, 9TH CROSS,
VINAYAKA GANGAVATHI ROAD,
VASANTHAPURA MAIN ROAD,
KONANKUNTE CROSS,
DODDAKALLSANDRA ROAD,
KANAKAPURA MAIN ROAD,
BANGALORE- 560062.

…RESPONDENTS

THIS WP IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO SETTING ASIDE THE IMPUGNED ORDER PASSED BY THE HON'BLE ADDL. XIX ADDL.CITY CIVIL AND SESSIONS JUDGE, BENGALURU IN EX. PET NO. 2158/2024 IN IA NO. 4 VIDE ANNX-E DISMISSING THE IMPUGNED ORDER DATED 30.04.2026 TO THAT EFFECT WHEREIN THE SAID SCHEDULE PROPERTY HAD BEEN ALREADY ATTACHED ON 07.04.2025 ETC.

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

CORAM: HON'BLE MR. JUSTICE K. V. ARAVIND

ORAL ORDER

The present petition is filed seeking a limited relief of directing the Trial Court to expedite the disposal of Ex.No.2158/2024.

2. Learned counsel appearing for the petitioner submits that the Execution Court issued a warrant of attachment of the immovable properties on 18.02.2025. However, instead of proceeding further in the matter, the Execution Court has passed an identical order once again on 30.04.2026. It is contended that there has been no progress in the execution proceedings and that any further delay would defeat the very purpose of the decree.

3. Considered the submission made by the learned counsel for the petitioner.

4. On the submissions made, prima facie, it is evident that the Execution Court had already ordered attachment of the immovable properties on 18.02.2025. However, instead of proceeding further with the execution proceedings, the Execution Court has passed an identical order on 30.04.2026.

Though a prayer has been made to set aside the order dated 30.04.2026, this Court is not inclined to entertain the said prayer. However, this Court finds it appropriate to direct the Execution Court to expedite the disposal of Ex.No.2158/2024 and conclude the proceedings within an outer limit of nine months from the next date of hearing before the Execution Court.

5. Accordingly, the writ petition stands ***disposed of***.

SD/-
(K. V. ARAVIND)
JUDGE

VP
List No.: 1 Sl No.: 10