

Com.Ex.215/2025

**Orders on Memo of
Calculation**

The JDR on 14.01.2026 filed a memo of calculation contending that in terms of the judgment and decree passed by this court in Com.O.S.486/2023 and as per the orders of the Hon'ble High Court of Karnataka in Com.A.P.567/2024 dated 13.08.2025 the judgment debtor has paid a sum of Rs.3,81,990/- on 11.02.2025 through DD, Rs.2,18,280/- and Rs.54,570/- by way of cheque on 17.05.2025 and a sum of Rs.1,09,140/- on 13.08.2025 through NEFT. The decree holder has retained security deposit of Rs.7,00,000/-.

It is submitted that as per the orders of the Hon'ble High Court of Karnataka the rent calculated at Rs.50,000/- per month from December 2024 to 13.01.2026 would amount to Rs.7,00,000/- of which a sum of Rs.3,81,990/- is paid and the remaining rental amount to be adjusted with the security deposit and shall return the balance of Rs.3,18,010/- to the judgment debtor.

By way of reply the DHR submits that as per the judgment and decree the

amount due as on 30.11.2024 was Rs.3,81,990/-.
Rs.50,000/- is due for December 2024 as per the orders of the Hon'ble High Court of Karnataka in appeal and from 01.01.2025 to 31.01.2026 the total rent due is Rs.6,50,000/-. The JDR is also liable to pay cost of Rs.1,77,535/-. The decree holder has given credits to the amounts paid by the JDR as mentioned above and after deducting the same from the total amount due the balance amount payable is shown as Rs.4,95,545/-.

The decree holder does not delay being in custody of the security deposit of Rs.7,00,000/-. On the other hand he only submits that there is no direction by the Hon'ble High Court of Karnataka either to return the security deposit or adjust the same towards arrears of rent.

The Hon'ble High Court of Karnataka while disposing the appeal has directed JDR to vacate the premises within 6 months from 13.08.2025 which has lapsed by 12.02.2026. As on today the period of vacating the premises has lapsed. The decree holder does not dispute the amounts received from the JDR as mentioned above. According to the DHR after

giving credits to the amounts paid the balance due is Rs.4,95,545/-. The same can be adjusted in the security deposit of Rs.7,00,000/- with the decree holder including the balance rents till date and only upon the judgment debtor having found to have vacated the premises shall return the balance amount if any to the judgment debtor. With the above observations, **memo stands disposed off.**

For report on vacation of the premises in terms of Hon'ble High Court of Karnataka by 28.02.2026.

Sd/-
LXXXV A.C.C. & S.J.,
Bengaluru.