

**Preliminary
Decree in
Money Suit.**

Suit Filed on : **04-06-2025**
Suit Disposed on : **06-04-2026**

**IN THE COURT OF THE SENIOR CIVIL JUDGE & JMFC AT
HARIHARA.**

O.S.No.114/2025

**PRESENT: Smt.PADMASHRI A MUNNOLI
BA .(L). LL.B.,
Senior Civil Judge & JMFC,
Harihara.**

Dated this the 06th day of APRIL - 2026

PLAINTIFF : 1. Karnataka Grameena Bank
a body corporate constituted under
the Regional Rural Banks Act 1976,
having its Head Office at No.23,
Sanganakal Road, Gandhi Nagar,
Bellary - 583103, and one
of its several branches at
Kokkanur Branch,
Harihara Taluk, Davanagere District,
by its Branch Manager,
Sri.Sampanth Aravind Tirumale
s/o Aravind Tirumale,
Aged about 44 years,
R/o Kokkanur Village,

V/s**DEFENDANTS**

:

1. Smt.Nagamma w/o
Late Anjinappa.
Aged about 53 years,
2. Sri.Maruthi s/o late Anjinappa
Aged about 31 years,
3. Sri.Pavan s/o late Anjinappa
Aged about 26 years,
4. Smt.Vidya.U.A. D/o late Anjinappa
Aged about 24 years,
5. Smt.Renukamma w/o
late Nageshappa
Aged about 67 years,
6. Sri.Siddanagouda s/o
late Nageshappa
Aged about 43 years,
7. Sri.Hanumanthappa.H.
s/o late Maheshwarappa Huruli,
Aged about 50 years,

8. Sri.Dharmaraj.H. s/o
late Maheshwarappa
Huruli, Aged about 45 years,
All are Agriculturists,
R/o Kokkanuru Village,
Harihara taluk.

PRAYER

The Plaintiff most humbly pray for Judgment and Preliminary Decree in its favour against the defendants by directing the defendants to pay the sum of Rs.8,69,224-00 (Rupees Eight lakhs Sixty Nine Thousand Two hundred Twenty Four only) with agreed rate of interest at Rs.14.50% PA compounded half yearly from the date of suit till payment with court costs, for sale of the plaint schedule properties and to recover the above said loan amounts out of such sale proceeds and if such sale proceeds are in sufficient to pay the above said suit claimed amounts, it is further prayed to pass a personal decree against the defendants for such of the balance of the suit claimed amounts and to grant such other reliefs which are deem fit to grant under the circumstances of the case in the interest of justice and equity.

This suit is coming on this day for final disposal before **Smt.PADMASHRI A MUNNOLI, Senior Civil Judge & JMFC, Harihara.** in the presence of Sri.Arun Kumar.B. Advocate for Plaintiff and Defendant Nos.1 to 8 are placed Ex-parte.

BY JUDGMENT.

Suit of the Plaintiff Bank is hereby decreed in part with costs as under :

It is further ordered and decreed that, the Plaintiff bank is entitled for recovery of Rs.8,69,224/- with interest at the rate of 6% per annum from the date of suit till realization.

It is further ordered and decreed that, Defendants No.1 to 6 are liable to repay the loan amount of Rs.8,69,224/- with interest as ordered above to the extent of estate inherited by them from deceased Anjinappa and Nageshappa.

It is further ordered and decreed that, Defendants No.1 to 6 are hereby directed to pay the above decretal amount to the Plaintiff Bank within a period of three months from today, failing which the Plaintiff Bank can recover the said sum by sale of the mortgaged property and even if after the sale of mortgaged property if there is any balance due, may proceed in accordance with law against defendant No.1 to 6.

It is further ordered and decreed that, the bank first shall proceed against item No.1 to 3 and 5 properties for satisfaction of the dues and if at all there is any balance, then take steps in respect of item No.4 property.

1. It is hereby declared that the amount due to the plaintiff on the mortgage mentioned in the plaint is the sum of Rs.8,69,224=00 (i.e. the date of suit) for principal, the sum of Rs. 56,786/- for interest on the said principal at the rate of 6% p.a. from the date of suit till the date of completion of three months time granted in the judgment and the sum of Rs. 62,821/- for the costs of the suit awarded to the plaintiff making in all Rs.9,88,831=00.

2. And it is hereby ordered and decreed as follows:-

(i) that the defendants do pay into Court on or before the 06-07-2026 or any later date up to which time for payment may be extended by the Court.

(ii) that, on such payment and on payment thereafter before such date as the Court may fix of such amount as the Court may adjudge due in respect of such costs of the suit and such costs, charges and expenses as may be payable under Rule 10, together with such subsequent interest as may be payable under Rule 11, of Order XXXIV of the First Schedule to the Code of Civil Procedure, 1908, the plaintiff shall bring into Court all documents in his possession or power relating to the mortgaged property in the plaint mentioned and all such documents shall be delivered over to the defendants or to such person as he appoints, and the plaintiff shall, if so required, re-convey or re-transfer the said property free from the said mortgage and clear of and

from all encumbrances created by the plaintiff or any person claiming under him or any person under whom he claims and shall, if so required, deliver up to the defendants quiet and peaceable possession of the said property.

3. And it is hereby further ordered and decreed that, in default of payment as aforesaid, the plaintiff may apply to the Court for a final decree for the sale of the mortgaged property; and on such application being made, the mortgaged property or a sufficient part thereof shall be directed to be sold; and for the purposes of such sale the plaintiff shall produce before the Court or such officer as it appoints all documents in his possession or power relating to the mortgaged property.

4. And it is hereby further ordered and decreed that the money realized by such sale shall be paid into Court and shall be duly applied (after deduction therefrom of the expenses of the sale) in payment of the amount payable to the plaintiff under this decree and under any further orders that may be passed in this suit and in payment of any amount which the Court may adjudge due to the plaintiff in respect of such costs of the suit, and such costs, charges

and expenses as may be payable under Rule 10, together with such subsequent interest as may be payable under Rule 11, of Order XXXIV of the First Schedule to the Code of Civil Procedure, 1908, and that the balance, if any, shall be paid to the defendants or other persons entitled to receive the same.

5. And it is hereby further ordered and decreed that, if the money realized by such sale shall not be sufficient for payment in full of the amount payable to the plaintiff as aforesaid, the plaintiff shall be at liberty (where such remedy is open to him under the terms of his mortgage and is not barred by any law for the time being in force) to apply for a personal decree against the defendants for the amount of the balance; and that the parties are at liberty to apply to the Court from time to time as they may have occasion, and on such application or otherwise the court may give such directions as it thinks fit.

In case the defendants have failed to pay suit claim amount alongwith interest thereon as mentioned above, the plaintiff bank is at liberty to proceed to recover amount by applying for sale of hypothecated movable properties and mortgaged properties as shown in schedule properties to the plaintiff by way of final decree proceedings.

If sale proceeds of hypothecated properties and mortgaged properties insufficient for amount due under decree , the plaintiff bank can proceed for other properties of defendants.

Given under my hand and the seal of the Court, this the 06th day of APRIL - 2026.

**Sd/-
Senior Civil Judge & J.M.F.C.
Harihara.**

Decree notified on : 15.04.2026
Decree is signed on : 17.04.2026.

**Sd/-
Senior Civil Judge & J.M.F.C.
Harihara.**

∴∴ MEMORANDUM OF COSTS ∴∴

	Plff.	Defendants
Court Fee paid on Complaint	Rs.54,933-00	--
Court Fee on I.A.	--	--
Process Fee	Rs.56-00	--
Adv. Fee 50% since Defts. Are Ex-parte (FC filed.)	Rs.7832-00 (FC filed)	--
TOTAL ::	Rs.62,821-00	--

**Sd/-
Senior Civil Judge & J.M.F.C.
Harihara.**

SCHEDULE

1. The agricultural irrigated land measuring 02 acre 33 gunta in Sy.No.80/6 of Kokkanur Village, Harihara Taluk and bounded by :

East : Land of Lakshnavva
West : Land of A.K.Murhanna
North : Channel
South : Road.

2. The agricultural irrigated land measuring 02 acre 08 gunta in Sy.No.82/4P7 of Kokkanur Village, Harihara Taluk and bounded by :

East : Land of Lakshnavva
West : Land of Lakshnavva
North : Channel
South : Land of Jayappa.

3. The agricultural irrigated land measuring 35 gunta in Sy.No.82/4P9 of Kokkanur Village, Harihara Taluk and bounded by :

East : Land of Lakshnavva
West : Land of Lakshnavva
North : Land of Channappa
South : Land of Jayappa.

4. The agricultural irrigated land measuring 01 acre in Sy.No.88/3 of Kokkanur Village, Harihara Taluk and bounded by :

East : Land of Basamma Uruli and her children,
West : Land of Uruli Rathamma and Ningappa
North : Land of Uruli Rajashekarappa
South : Road and land of Thimmenahalli Nandigouda.

5. The agricultural irrigated land measuring 02 acre in Sy.No.46/1A4 of Guddadathumminakatti Village, Harihara Taluk and bounded by :

East : Land of Lakshamma
West : Land of A.K.Murhanna
North : Basheer
South : Road.

Sd/-
Senior Civil Judge & J.M.F.C.
Harihara.