

ORDER ON MEMO DATED 10.03.2026

The petitioner No.4 has filed this memo and sought to direct the respondents No.4 to 6 to deposit the sale proceeds of the crops harvested by respondents No.4 to 6.

The respondents No.4 to 6 have filed objections to memo and stated that the respondents No.4 to 6 have filed writ petition in WP No.200572/2026 before the Hon'ble High court of Karnataka, Kalaburagi Bench and the Hon'ble High Court stayed the order passed by this Court on 16.08.2025 with a condition that the petitioners/respondents No.4 to 6 herein shall deposit the income secured from the proceeds of the agricultural crop grown in the suit schedule property item No.1 and 2 in the FDP Court. Before the Hon'ble High Court passing the order the receiver and to care takers harvested the entire crop in the suit properties and these respondents did not harvest the crop. Hence, prays to dismiss the petition.

Perused the cords and heard.

The order passed by the Hon'ble High Court in W.P.No.200572/2026 (GM CPC) shows that the Hon'ble High Court passed its orders on 24.02.2026 and stayed operation and execution of order dtd: 16.08.2025 passed by this court in this petition subject to condition that the petitioners/respondents No.4 to 6 herein shall deposit the income secured from the proceeds of the agricultural crop grown in the suit item No.1 and 2 properties in the FDP court i.e., this

Court. It is pertinent to note that the respondents No.4 to 6 filed memo on 25.02.2026 and brought the order passed by the Hon'ble High Court in W.P.No.200572/2026. Accordingly this court took the memo on record and directed the office to issue intimation to the receiver and care takers about the stay order and not to further perform any work assigned to them. The same reveals that as on the date of passing of the order by the Hon'ble High Court i.e., 24.02.2026 the receiver lost his authority to act as receiver of the suit property. Consequently, the respondent No.4 to 6 as per the order of the Hon'ble High Court are permitted to harvest the crops subject to condition that they shall deposit sale proceeds of the crop with this Court.

The respondents have filed memo and produced photos wherein it is seen that the receiver and care takers took crops in the suit properties. When this court appointed receiver to manage the suit properties it cannot be ruled out that the receiver harvested some crops and took away some crops from the suit properties for the purpose of harvesting. But that does not mean that the receiver only harvested entire crops or took away some crops from the suit properties. Therefore, the photos produced by the respondent No.4 to 6 are not helpful for the respondent No.4 to 6 to prove that the receiver only harvested or took away entire crops from the suit property.

The fact that the respondents NO.4 to 6 obtained orders from the Hon'ble High Court on 24.02.2026 and brought it the notice of this court on the very next day that itself show that as on 25.02.2026 there was standing crop in the suit properties. Therefore, the respondents No.4 to 6

under the guise of the allegation that the receiver himself harvested or took away entire crops from the suit properties cannot escape from depositing the sale proceeds of the crops as directed by the Hon'ble High Court. Hence, the following;

ORDER

The memo file by the petitioner No.4 on 10.03.2026 is hereby accepted.

The respondent No.4 to 6 are hereby directed to deposit the income secured from the proceeds of the agricultural crop grown in the suit items No.1 and 2 in the FDP Court i.e., this court as directed by the Hon'ble High Court of Karnataka by its order dated: 24.02.2026 in W.P.No.200572/2026 (GM CPC).

In case of failure to comply the orders of the Hon'ble High Court passed in W.P.No.200572/2026 on 24.02.2026 it is open for the petitioners herein to take suitable action for contempt of court against respondents No.4 to 6 herein before the appropriate forum.

Senior Civil Judge & JMFC, Sedam.

For cross of R.W.1.

Finally call on 18.03.2026.

Senior Civil Judge & JMFC, Sedam.