

OS 50-2025

05-08-2026

**COMMON ORDER ON MEMO DATED 16-
04-2026 FILED BY THE COUNSEL FOR
PLAINTIFFS AND MEMO DATED 03-06-
2026 FILED BY THE COUNSEL FOR THE
DEFENDANT**

Memo dated 16-04-2026 has been filed by the counsel for plaintiffs by stating that the defendant has already disposed valuable trees which were forcibly cut by

him and received huge amount as sale consideration towards the trees.

The counsel for defendant filed objection to the memo by stating that the same is not maintainable. It is denied that the defendant has received huge amount as sale proceeds. It is further stated that only one jackfruit tree has been sold and the same is worth Rs.10,000/-.

Counsel for the defendant filed separate memo dated 03-06-2026 by stating that in total three jackfruit trees and one saguvani tree were existing in his property worth Rs.35,000/-. The trees were cut prior to filing of the present suit. Out of the said trees, two jackfruit trees and one saguvani tree were not existing in the A' schedule property, only one jackfruit tree was in existence in the 'A' schedule

property and the amount received through sale of the same is Rs.10,000/-.

Heard both sides.

On perusal of the memo and the ordersheet, it reveal that on 26-09-20205, this court has restrained the plaintiffs from obstructing the defendant from removing one jackfruit tree fallen in Sy.No.6/3 measuring 0.30 acre of Jarkala Village. It is also directed that the defendant shall comply with the procedure to transport the same by obtaining permission and licence from the concerned forest department. It is also directed that the defendant shall deposit the sale proceeds before this court or give accounts of the same. The defendant has filed memo dated 03-06-2026 without producing any documents to show that the jackfruit tree fallen on the 'A' schedule property has been sold for

Rs.10,000/-. Therefore, the defendant needs to be directed to produce the required documents and details pertaining to the timber merchant, permission obtained by him from the forest department etc. Thus the following:-

ORDER

On consideration of the above memos, the defendant is directed to furnish the documents and details pertaining to the concerned timber merchant and permission obtained from the forest department / any other concerned department, for sale of the jackfruit tree, which had fallen on the suit 'A' schedule property and deposit the sale proceeds accordingly before this court.

For compliance by : 25-08-2026.

(PRAVEEN NAYAK)
Senior Civil Judge & ACJM, Karkala

