



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 26TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR

WRIT PETITION NO.6580 OF 2026 (GM-CPC)

BETWEEN:

SRI M.N. CHANDRASHEKAR
S/O NANJUNDAIAH,
AGED ABOUT 60 YEARS,
R/AT 'CHAMUNDI KRUPA'
NEAR MADDURAMMA TEMPLE,
B.M. ROAD, MADDUR TOWN,
MANDYA DISTRICT-571428.

...PETITIONER

(BY SRI. T. SESHAGIRI RAO, ADVOCATE)

AND:

1. SMT. LAKSHMAMMA
D/O LATE NANJAIAH
W/O L. NAGARAJ
AGED ABOUT 56 YEARS,
R/AT DOOR NO.B-2/1, VASU LAYOUT,
9TH CROSS, RAMAKRISHNA NAGARA,
MYSORE-570 022.
2. SMT. NINGAMMA
W/O LATE NANJAIAH,
AGED ABOUT 75 YEARS,
3. SRI. SHIVARAJEGOWDA
S/O LATE NANJAIAH,
AGED ABOUT 54 YEARS

RESPONDENT NOS.2 AND 3 ARE
R/AT TMC MARIYAPPA'S HOUSE,





3RD CROSS, LEELAVATHI EXTENSION,
MADDUR TOWN, MANDYA DISTRICT-571 428.

4. SRI. RAVI
S/O LATE NANJAIAH,
AGED ABOUT 50 YEARS,
R/AT NO.2ND CROSS, SIR M.V. NAGAR,
MADDUR TOWN
MANDYA DISTRICT-571 428.

...RESPONDENTS

(BY SRI. L. RAJA, ADVOCATE FOR CAV/R1)

THIS WP IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE ORDER DATED 20.02.2026 PASSED BY THE FIRST ADDITIONAL SENIOR CIVIL JUDGE AND JMFC, MADDUR (FIRST APPELLATE COURT) ON IA NO.2 IN R.A.NO.12/2026 ON THE FILE OF I ADDITIONAL SENIOR CIVIL JUDGE AND JMFC, MADDUR AT ANNEXURE-A TO THE W.P. AND CONSEQUENTLY PASS ON APPROPRIATE ORDER TO ALLOW THE APPLICATION FILED BY THE PETITIONER HEREIN ON I.A.NO.2 IN R.A.NO.12/2026 ON THE FILE OF THE I ADDITIONAL CIVIL JUDGE (SR. DN.) MADDUR.

THIS PETITION, COMING ON FOR *ORDERS*, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR

ORAL ORDER

This petition by the appellant in R.A.No.12/2026 is directed against the impugned order dated 20.02.2026 passed by the I Addl. Senior Civil Judge & JMFC, Maddur, whereby the application – I.A.No.2 filed by the petitioner-appellant seeking stay of the operation, execution and effect of the order dated 02.02.2026



passed by the Trial Court in Ex.No.20/2009 was rejected by the First Appellate Court.

2. Heard learned counsel for the petitioner and learned counsel for caveator – respondent No.1 and perused the material on record.

3. A perusal of the material on record will indicate that the petitioner is the decree holder in the instant Ex.No.20/2009 filed by him against respondent Nos.2 to 4 – judgment debtors. During pendency of the said execution proceedings, the 1st respondent-objector filed the instant application under Order XXI Rules 96 to 98 and 101 CPC, which came to be allowed by the Executing Court vide Order dated 02.02.2026. The petitioner-decree holder challenged the said order by preferring the instant R.A.12/2026 in which he filed I.A.No.2 seeking stay of the order of the Executing Court. By the impugned order, the First Appellate Court rejected I.A.No.2, aggrieved by which the petitioner is before this Court by way of the present petition.

4. Though several contentions have been urged, it is a matter of record and an undisputed fact that the appeal is posted



before the First Appellate Court on 27.03.2026 and the 1st respondent, who is the only contesting respondent in the said appeal has entered appearance and the appeal is ripe / ready for final disposal. Under these circumstances, I deem it just and appropriate to dispose of this petition by directing the First Appellate Court to dispose of the appeal within a stipulated time frame and by issuing certain directions.

5. In the result, I pass the following:

ORDER

- (i) The petition is hereby ***disposed of***.
- (ii) The First Appellate Court is directed to dispose of R.A.No.12/2026 within a period of three months from 27.03.2026.
- (iii) It is further directed that till disposal of the appeal by the First Appellate Court as stated supra, the parties shall maintain *status-quo* in all respects as on today, in relation to the Execution Schedule Property and all further proceedings before the Executing Court shall remain in abeyance till disposal of the appeal by the First Appellate Court.



(iv) All rival contentions on all aspects of the matter including maintainability / non-maintainability of the objector application filed by the 1st respondent are kept open and no opinion is expressed on the merits / demerits of the rival contentions.

Sd/-
(S.R.KRISHNA KUMAR)
JUDGE