



**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 25<sup>TH</sup> DAY OF MARCH, 2026**

**PRESENT**

**THE HON'BLE MR. JUSTICE D K SINGH**

**AND**

**THE HON'BLE MR. JUSTICE T.M.NADAF**

**WRIT PETITION NO. 8034 OF 2026 (GM-CON)**

**BETWEEN:**

DR. S. SHOBHA,  
W/O LATE S. JANARDHANA MURTHY,  
RESIDING AT NO.5, 17<sup>TH</sup> MAIN,  
AGED ABOUT 70 YEARS,  
MUNESHWARA BLOCK,  
SRINAGAR,  
BENGALURU - 560 026.

...PETITIONER

(BY SRI. SHASHIDHARA SENIOR ADVOCATE FOR  
SRI. H.S. SUHAS., ADVOCATE)

**AND:**

1. THE GREATER BENGALURU AUTHORITY,  
N.R. SQUARE,  
J.C. ROAD,  
BANGALORE - 560 002.  
REPRESENTED BY COMMISSIONER  
SRI. MANJUNATH PRASAD I.A.S
2. THE BENGALURU WEST CITY CORPORATION,  
SRINAGAR WARD,  
BENGALURU - 560 073.  
REPRESENTED BY COMMISSIONER

...RESPONDENTS





THIS WRIT PETITION IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA, PRAYING TO SET ASIDE THE ORDERS DATED 09.07.2025 IN APPEAL EXECUTION No.2/2025 VIDE ANNEXURE-A AND THE ORDER DATED:14.08.2025 IN R. A. No. 136/2025 (FOR REVIEW) VIDE ANNEXURE-B PASSED BY NATIONAL CONSUMER DISPUTES REDRESSAL COMMISSION, NEW DELHI AND REMAND THE MATTER TO THE HON'BLE NATIONAL CONSUMER DISPUTES REDRESSAL COMMISSION, NEW DELHI FOR FRESH ADJUDICATION, AND ETC.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE D K SINGH  
and  
HON'BLE MR. JUSTICE T.M.NADAF

**ORAL ORDER**

(PER: HON'BLE MR. JUSTICE D K SINGH)

This writ petition has been filed impugning the Order dated 09.07.2025 passed by the National Consumer Disputes Redressal Commission ('NCDRC' for short) in Appeal Execution No.2/2025.



2. The petitioner has approached the NCDRC in appeal against the order dated 07.07.2023 of the State Commission passed in Execution Petition No.91/2017, whereby considering the order passed by the NCDRC on 21.03.2006 in First Appeal No.101/1099, the petitioner who was the complainant before the State Commission was granted compensation in a sum of Rs.10,00,000/- (Rupees Ten Lakhs only), towards harassment and mental agony for nearly 10 years.

3. The petitioner had also filed the Cross Objections in the First Appeal No.101/1999 before the NCDRC. Though, the order dated 21.03.2006 was unambiguous, so far as the compensation for harassment and mental agony for a period of nearly 10 years was concerned, now, the petitioner in execution proceedings, sought to contend that the compensation granted should be for one year, and therefore, for 10 years he should be given Rs.1 Crore compensation.



4. As this was not the extent of the order dated 21.03.2006 passed by the NCDRC in First Appeal No.101/1999, the State Commission in Execution No.91/2017 opined as under:

*"6. This Commission has directed to the Decree Holder to provide any clarification from the Hon'ble National Commission with respect to the payment of Rs.10.00 lakhs towards the loss of practice every year. In spite of direction to be given, the Decree Holder has not provided any clarification. The order passed by the Hon'ble National Commission is very clear that, the award was enhanced to Rs.10.00 lakhs and directed to judgment Debtor to pay the above said amount with interest. Accordingly the Judgment Debtor had paid the amount and there is no dispute with respect to the payment of the said amount. We are of the opinion that, when there is no any further clarification with respect to the payment of Rs.10.00 lakhs with interest every year for loss of practice. This Commission will not consider the amount claimed by the Decree Holder are payable by the Judgment Debtor. The Judgment Debtor has complied the entire order as per the Hon'ble National Commission even as per the order passed by the Hon'ble High Court of Karnataka. Hence, we do not*



*find any valid grounds for recovery of the further amount claimed by the Decree Holder as per the memo of calculation. In view of that, we consider the Judgment Debtor has complied the entire order, as such the execution petition is closed as fully satisfied."*

5. Aggrieved by the said order passed by the State Commission, the petitioner filed Appeal Execution No.2/2025. The NCDRC vide the impugned order dated 09.07.2025 passed in above said Appeal Execution No.2/2025 has dismissed the Appeal, holding that same was not maintainable.

6. Against this order, the petitioner filed the Review Petition No.136/2025. However, the same came to be dismissed vide order dated 14.08.2025 passed by the NCDRC, as the NCDRC did not find any error apparent on the face of the record in the order passed by it.

7. These orders passed by the NCDRC were challenged by the petitioner in Special Leave to Appeal (C)



Nos.32279-32280/2025. The Supreme Court vide order dated 28.11.2025, had dismissed the said Special Leave to appeals. However, the petitioner had been given liberty to approach the High Court to challenge the impugned orders passed by the NCDRC in appropriate proceedings. Thus, the petitioner has now challenged the two orders passed by the NCDRC in the present writ petition.

8. We have carefully perused the order dated 21.03.2006 passed in First Appeal No.101/1999 and Cross Objections filed by the petitioner. The total compensation awarded towards harassment and mental agony for a period of 10 years was Rs.10,00,000/- only. The Execution Court cannot enhance the compensation than awarded in the complaint/appeal or Revision as the case may be going beyond the award. If the petitioner was aggrieved by the meagre compensation as contended of Rs.10,00,000/- towards harassment and mental agony for a period of 10 years, the petitioner ought to have taken the said order either before the Supreme Court or before this Court, by



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filing Special Leave Petition or the writ petition as the case might be. The said order was never been challenged by the petitioner either before the Supreme Court or before this Court. What she wants in execution proceedings is that the compensation awarded by the NCDRC in its order dated 21.03.2006 be enhanced. It is well settled that the Execution Court is required to execute the order and not to modify or interpret in the manner which is not provided in the order itself. When the compensation was confined only for Rs.10,00,000/- towards harassment and mental agony, there can be no opinion for the Execution Court to enhance the compensation. Therefore, we are of the considered opinion that NCDRC has rightly dismissed the Execution Petition and Execution Appeals. We find no reason to interfere with the impugned order and therefore, the writ petition is ***dismissed***.



In view of the dismissal of the petition, pending I.A.,  
if any, does not survive for consideration and the same is  
disposed of.

**Sd/-  
(D K SINGH)  
JUDGE**

**Sd/-  
(T.M.NADAF)  
JUDGE**

RR  
List No.: 1 SI No.: 11  
ct-vn