



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

**DATED THIS THE 23<sup>RD</sup> DAY OF MARCH, 2026**

**BEFORE**

**THE HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD**

**WRIT PETITION NO. 30547 OF 2025 (GM-CPC)**

**BETWEEN:**

1. SRI. BASAPPA  
S/O LATE HINAKAL BASAVANNA  
AGED ABOUT 81 YEARS
2. SRI. SURESHA  
S/O BASAPPA  
AGED ABOUT 50 YEARS

PETITIONER NOS.1 AND 2 ARE  
RESIDING AT DEBURU VILLAGE  
KASABA HOBLI, NANJANGUD TALUKU  
MYSURU DISTRICT-571314

...PETITIONERS

(BY SRI. Y.V. PRAKASH FOR  
SRI. Y.K. NARAYANA SHARMA, ADVOCATES)

Digitally signed by  
DHANALAKSHMI  
MURTHY

Location: HIGH  
COURT OF  
KARNATAKA

**AND:**

1. SRI. SIDDARAJAMMA  
W/O LATE KOOSAPPA  
AGED ABOUT 53 YEARS
2. SMT. G.K. SACHIN  
S/O LATE KOOSAPPA  
AGED ABOUT 31 YEARS
3. SRI. G.K.CHETHAN  
S/O LATE KOOSAPPA  
AGED ABOUT 29 YEARS



RESPONDENT NOS.1 TO 3 ARE  
RESIDING AT GEJJAGALLI VILLAGE  
KASABA HOBLI, MYSURU TALUK  
AND DISTRICT-571130

4. SMT. SUSHEELA  
D/O SRI. BASAPPA  
AGED ABOUT 57 YEARS

SRI. SUBRAMANYA  
S/O BASAPPA  
DEAD BY HIS LRS ARE  
PETITIONERS NO.1 AND 2 AND  
RESPONDENTS NO. 4 AND 5  
ARE ALREADY ON RECORD

5. SMT. GOWRAMMA  
D/O SRI BASAPPA  
AGED ABOUT 51 YEARS

SRI. MANJU  
S/O BASAPPA DEAD BY HIS LRS  
ARE PETITIONERS NO.1 AND 2  
AND RESPONDENTS NO. 4 AND 5 ARE  
ALREADY ON RECORD

RESPONDENT NOS.4 AND 5 ARE  
RESIDING AT DEBURU VILLAGE  
KASABA HOBLI, NANJANGUD TALUKU  
MYSURU DISTRICT-571314

...RESPONDENTS

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF  
THE CONSTITUTION OF INDIA PRAYING TO PASS NECESSARY  
ORDERS AND ISSUE A WRIT OF CERTIORARI OR OTHER  
APPROPRIATE WRIT OR ORDER AND SET ASIDE THE ORDER  
DATED 28.06.2025 PASSED ON I.A.NO.III IN EX. NO.28/2021  
BY THE COURT OF SENIOR CIVIL JUDGE AT NANJANGUD,  
MYSURU DISTRICT, AS PER ANNEXURE-H AND DISMISS THE  
SAID APPLICATION SEEKING APPOINTMENT OF  
COMMISSIONER OR PASS OTHER SUITABLE ORDERS AS



DEEMED FIT BY THIS HON'BLE COURT UNDER THE FACTS AND CIRCUMSTANCES OF THE CASE.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:  
CORAM: HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

**ORAL ORDER**

1. In this writ petition, the petitioners-Judgment Debtor Nos.1 and 4 have called in question the order dated 28.06.2025 passed by the Senior Civil Judge & JMFC, Nanjangud on I.A.No.III filed by the Decree Holders under Order XXVI Rule 10 read with Section 151 of CPC, in Ex.No.28/2021, whereby the said application has been allowed.

2. The plaintiffs filed O.S.No.86/2016 for specific performance of contract. Parties have settled the matter and filed compromise petition before the Lok Adalath. Accordingly, the suit came to be decreed in terms of the compromise decree dated 11.06.2018. In the compromise decree, schedule of the property has been mentioned. The Decree Holders have filed an execution petition for



executing the compromise decree. In the execution petition, the Decree Holders have filed I.A.No.III under Order XXVI Rule 10 of CPC for appointment of the Court Commissioner to execute the registered sale deed. Accordingly, the Executing Court by impugned order dated 28.06.2025 appointed the Court Commissioner to execute the sale deed of the suit schedule property in favour of the Decree Holders. Being aggrieved by the impugned order, the present petition is filed.

3. The only ground urged by the petitioners is that a revenue sketch is not available.

4. The decree sought to be executed is a compromise decree, and the property is sufficiently described therein. The appointment of a Commissioner is only to facilitate the execution of the decree in terms of the compromise decree dated 11.06.2018 passed in O.S.No.86/2016. Therefore, the Executing Court has rightly exercised its jurisdiction in allowing I.A. No.III.



5. Viewed from any angle, there is no error or illegality in the impugned order passed by the Executing Court warranting interference by this Court.

6. Accordingly, the writ petition is **dismissed**.

**Sd/-**  
**(H.T. NARENDRA PRASAD)**  
**JUDGE**

DM  
List No.: 1 Sl No.: 5