



**IN THE HIGH COURT OF KARNATAKA**

**KALABURAGI BENCH**

**DATED THIS THE 24<sup>TH</sup> DAY OF FEBRUARY, 2026**

**BEFORE**

**THE HON'BLE MR.JUSTICE PRADEEP SINGH YERUR**

**WRIT PETITION NO.200894 OF 2026 (GM-CPC)**

**BETWEEN:**

PAPALAL  
S/O LAXMANPRASAD TIWARI,  
AGE: 72 YEARS, OCC: LEGAL PRACTITIONER,  
R/O H.NO.9-198/1/A, "SAI SAMARTH KRUPA"  
KHATAGARPURA, SHAHABAZAR,  
KALABURAGI-585101.

...PETITIONER

(BY SRI. K.M.GHATE, ADVOCATE)

**AND:**

BUDDHIPRASAD  
S/O LAXMAN PRASAD TIWARI,  
AGE ABOUT 70 YEARS, OCC: BUSINESS,  
R/O H.NO.9-169, KHATAGARPURA,  
SHAHABAZAR, KALABURAGI-585101.

...RESPONDENT

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA, PRAYING TO ALLOW THE WRIT PETITION AND A) ISSUE WRIT OF MANDAMUS/DIRECTION, DIRECTING THE PRL. CIVIL JUDGE AND JMFC COURT, KALABURAGI, TO DISPOSE OF THE PENDING SUIT IN OS NO.183/2020 ON ITS ROLE, IN VIEW OF THE GROUNDS URGED ABOVE. B) THIS HON'BLE COURT MAY KINDLY BE PLEASED TO ISSUE ANY OTHER ORDER/DIRECTION, INCLUDING COST OF





THE PRESENT WRIT PETITION PAYABLE BY THE RESPONDENTS UNDER THE FACTS AND CIRCUMSTANCES IF THIS HON'BLE COURT DEEMS FIT AND PROPER TO MEET THE ENDS OF JUSTICE AND EQUITY.

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

CORAM: HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

**ORAL ORDER**

Heard Learned counsel for the petitioner.

2. This Court does not find the need or necessity to issue notice to the respondent for the reason that the respondent has remained absent before the trial Court.

3. The petition is filed by the petitioner seeking a writ of mandamus for a direction to the learned Principal Civil Judge, JMFC, Kalaburagi, to dispose of the pending suit in O.S.No.183/2020 on its file expeditiously.

4. Petitioner is a plaintiff who filed a suit for mandatory injunction against the respondent/defendant before the Principal Civil Judge, JMFC, Kalaburagi in O.S.No.183/2020. Upon issuance of suit summons and



service of the same, there was no appearance. The respondent/defendant was placed ex-parte by Order dated 23.10.2020. Thereafter, the petitioner/plaintiff got examined himself as PW.1 got marked documents at Exs.P1 to P50 and closed his side. No evidence or cross-examination was adduced as the respondent/defendant was placed ex-parte. There was a Regular Second Appeal which was pending in RSA No.200372/2014 before this Court which came to be disposed of on 18.09.2025. Thereafter, the petitioner advanced the matter and produced the copy of the said judgment before the trial Court and argued the matter by requesting the judge to pronounce the judgment in the matter. All proceedings before the trial Court are complete except pronouncement of judgment. The matter was posted for judgment lately on 24.09.2025. Until today, judgment is not pronounced. Hence, petitioner being aggrieved is before this Court for a direction to the learned Principal Civil Judge and JMFC Court, Kalaburagi to proceed to pass judgment.



5. It is seen that the respondent/defendant was placed ex-parte. The matter has gone ahead one side and arguments are over and it was posted for judgment. It is for the trial Court to proceed further in the matter and pronounce judgment in the matter, unless the Court requires any further clarification from the plaintiff.

6. Under the circumstances, I pass the following:

**ORDER**

- i. This petition is ***allowed***.
- ii. Writ of mandamus is issued directing the Principal Civil Judge and JMFC, Kalaburagi to dispose of the pending suit in O.S.No.183/2020 as early as possible, in view of the fact that the suit is of the year 2020 and there being no defence by the defendant, learned Trial Judge shall pronounce the judgment within four weeks from the date of receipt of copy of the order.

**Sd/-  
(PRADEEP SINGH YERUR)  
JUDGE**