



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 24TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE S.VISHWAJITH SHETTY

WRIT PETITION NO. 201289 OF 2026 (GM-CPC)

BETWEEN:

SRI BASAVARAJ
S/O REVANSIDDAPPA REVOOR,
AGED ABOUT 56 YEARS, OCC : AGRICULTURE,
R/O EKLOOR VILLAGE, TQ.BASAVAKALYAN,
DIST : BIDAR-585327.

...PETITIONER

(BY SRI. REVANASIDDAPPA JAGADEVAPPA BHUSARE,
ADVOCATE)

AND:

1. SMT.ANNAPURNABAI
W/O SIDRAMAPPA WADI,
AGED ABOUT 73 YEARS,
OCC : AGRICULTURE,
R/O BELAMBAGI VILLAGE,
TQ KAMALAPUR,
DIST : KALABURAGI-585101





2. SMT. GIRIJABAI W/O DEVINDRA RATNAJI
AGED ABOUT 70 YEARS, OCC : AGRICULTURE,
R/O COLD DRINK SHOP, HYDERABAD NAKA
NAVINDGAL SOLAPUR, MAHARASHTRA.
3. SMT. MAHADEVI
W/O SURESH BIRADAR,
AGED ABOUT 68 YEARS, OCC: AGRICULTURE,
R/O COLD DRINK SHOP, HYDERBAD NAKA,
NAVINDGAL, SOLAPUR, MAHARASHTRA.
4. SMT. PARVATI W/O BHIMARAYA KALI,
AGED ABOUT 65 YEARS, OCC AGRICULTURE,
R/O PLOT NO.49, HARE KRISHNA NAGAR,
JEWARGI ROAD, SANTOSH COLONY,
KALABURAGI CITY.
5. SMT.SHOBHA W/O RAJENDRA NASIKAR,
AGED ABOUT 60 YEARS, OCC : AGRICULTURE,
R/O NEAR BHOGI HOSPITAL, GURU NANAK,
GURUDWAR PREMISES, BIDAR CITY.
6. SRI.SHIVAKUMAR
S/O REVANSIDDAPPA REVOOR,
AGED ABOUT YEARS, OCC : AGRICULTURE,
R/O EKLOOR VILLAGE, TQ BASAVAKALYAN,
DIST BIDAR.
7. SMT.SHANTABAI W/O SANGAPPA BIRADAR,
OCC AGRICULTURE, R/O COLD DRINK SHOP,
HYDERBAD NAKA, NAVINDGAL, SOLAPUR,
MAHARASHTRA.

...RESPONDENTS

THIS WRIT PETITION IS FILED UNDER ARTICLES 227
OF THE CONSTITUTION OF INDIA, PRAYING THAT THIS
HON'BLE COURT MAY BE PLEASED TO A) ISSUE A WRIT IN



THE NATURE OF WRIT OF CERTIORARI BY QUASHING THE ORDER PASSED REJECTING THE OBJECTIONS OF THE DECREE HOLDER NO.1 DATED 23.01.2026 BY THE COURT OF SENIOR CIVIL JUDGE AND JMFC, BASAVAKALYAN IN EX.P.13/2022 WHICH IS AT ANNEXURE-F; B) TO GRANT ANY OTHER RELIEF TO WHICH THE PETITIONERS ARE FOUND ENTITLED IN 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 S.VISHWAJITH SHETTY

ORAL ORDER

This writ petition under Article 227 of the Constitution of India is filed by the judgment debtor with a prayer to quash the order dated 23.01.2026 passed by the Court of the Senior Civil Judge and JMFC, Bidar in E.P.No.13/2022.

2. Heard the learned counsel for the petitioner.

3. Respondent Nos.1 to 5 herein had filed O.S.No.95/2007 seeking the relief of partition and separate possession of the suit schedule property. The said suit was partly decreed and the judgment and decree



passed in O.S.No.95/2007 was modified in R.A.No.95/2012 and confirmed by this Court in RSA No.200143/2015. Subsequently, the decree holders have filed execution case in E.P.No.13/2022 before the trial court and in the said proceedings the executing court had directed the jurisdictional ADLR to conduct a survey of the suit schedule property and submit report. It appears that the ADLR had submitted a sketch map of the suit schedule property on 23.01.2026 before the Trial Court and acceptance of the same was opposed by the petitioner/judgment debtor No.1 on the ground that the surveyor had not physically visited the suit schedule property and prepared the map. The said objection was over ruled by the executing court and the map was accepted. Aggrieved by the said order dated 23.01.2026, the judgment debtor No.1 is before this Court.

4. The report of the ADLR, which is made available to this Court by learned counsel for the petitioner would go to show that during pendency of the final decree



proceedings, ADLR had physically visited the suit schedule property and also had recorded the statement of the parties to the suit, including statement of some of the judgment debtors. Survey was conducted by ADLR and the parties had identified the property and accordingly, the survey report was also prepared. The said exercise was done by the ADLR as per the orders passed in final decree proceedings and survey report was also submitted in the said proceedings. It is only survey map, which is now produced before the Executing Court, which is consistent with the survey report that was prepared by the ADLR and submitted in FDP No.07/2012.

5. Under the circumstances, I am of the opinion that the Executing Court was justified in passing the impugned order. Accordingly, the writ petition is ***dismissed.***

Sd/-
(S.VISHWAJITH SHETTY)
JUDGE

sn/NJ
List No.: 1 Sl No.: 6