HC-KAR
NC: 2026:KHC:54567
WP No. 11751 of 2026
CNR: KAHC010254502026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 1ST DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE R DEVDAS

WRIT PETITION NO. 11751 OF 2026 (GM-CPC)

BETWEEN:

SRI KANTILAL
S/O. SRI JUGRAJ JI VED MUTHA
AGED ABOUT 66 YEARS,
RESIDING AT NO.5/41,
NOOTAN ENCLAVE,
KRISHNA RAJENDRA ROAD,
BASAVANAGUDI,
BANGALORE-560 004.

...PETITIONER

(BY SRI. PARASMAL B @ PARAS JAIN, ADVOCATE)

AND:

1. RAMADA
   BY WYNDHAM
   SY. NO.45/2, SALKYA, HONNENAHALLI,
   DODDABALLAPURA ROAD, YELAHANKA,
   BANGALORE - 560064.

2. HOTEL THE SAI LEELA,
   SY. NO.3/1, SINGANAYAKANAHALLI,
   YELAHANKA,
   4TH MILE ON DODDABALLAPURA ROAD,
   YELAHANKA, BANGALORE - 560064.

...RESPONDENTS

Digitally signed by JUANITA THEJESWINI
Location: HIGH COURT OF KARNATAKA

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE WRIT IN THE NATURE OF MANDAMUS OR SUCH OTHER ORDER OR WRIT

INTER ALIA DIRECTING THE IX ADDL. CITY CIVIL AND SESSIONS JUDGE, BENGALURU, (CCH-5), TO DISPOSE OF EXECUTION CASE NO.2811/2023 ANNEXURE-B WITHIN 3 MONTHS WITHOUT GRANTING ANY ADJOURNMENTS, STRICTLY FOLLOWING THE GUIDELINES ISSUED BY THE HON'BLE SUPREME COURT IN THE CASE OF IN RAHUL S. SHAH V. JINENDRA KUMAR GANDHI, (2021) 6 SCC ANNAWC-D 418 ANNEXURE-D AND PERIYAMMAL (DEAD) THROUGH LRS. AND ORS. V. V. RAJAMANI AND ANR. ETC., 2025 INSC 329, AND FURTHER PRAYS FOR SUCH OTHER ORDER AS THIS HON'BLE COURT DEEM FIT TO GRANT IN THE FACTS AND CIRCUMSTANCES OF THE CASE IN THE ENDS OF JUSTICE.

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

CORAM: HON'BLE MR. JUSTICE R DEVDAS

ORAL ORDER

The matter is coming up for preliminary hearing. Learned counsel for the petitioner/Decree Holder submits that the suit filed by the petitioner was decreed on 04.03.2023. By virtue of the judgment passed by the trial court, there is a decree in favour of the petitioner for a sum of Rs.13,37,870/- payable by the defendants. The execution case was filed by the petitioner/ Decree Holder on 16.11.2023 and vakalath was filed on behalf of the Judgment Debtors on 03.02.2024.

2. Learned counsel submits that the Executing Court has been adjourning the matter at every request made by the Judgment Debtor. Learned counsel submits that the Hon'ble Supreme Court in the case of ***Rahul S. Shah v. Jinendrakumar Gandhi – (2021) 6 SCC 418*** has directed that the execution petitions should be disposed of within a period of six months of their institution. Learned counsel submits that the prayer in the writ petition is to issue a writ of mandamus directing the learned IX Additional City Civil and Sessions Judge, Bengaluru (CCH 5) to dispose of Execution Case No.2811/2023 within a period of three months, without granting any adjournments.

3. In view of the above, and having regard to the prayer made by the petitioner/Decree Holder, this writ petition is disposed of without issuance of notice to the respondent/Judgment Debtor, having regard to the innocuous prayer made by the petitioner. The

IX Additional City Civil and Sessions Judge, Bengaluru (CCH 5) is hereby directed to take up the matter in Execution Case No.2811/2023 and dispose of the same, as expeditiously as possible and at any rate within a period of six months, without giving scope for further grievance at the hands of the Decree Holder.

The writ petition is ***disposed of*** accordingly.

Sd/-
(R DEVDAS)
JUDGE

KLY
CT:SM
List No.: 1 Sl No.: 7