

### IN THE HIGH COURT OF KARNATAKA, DHARWAD BENCH

# DATED THIS THE $20^{TH}$ DAY OF AUGUST, 2025 BEFORE

## THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ WRIT PETITION NO. 107864 OF 2023 (GM-CPC)

#### **BETWEEN:**

SUKAMUNIYAPPA
S/O. NARAYANAPPA KATTIMANI,
AGE: 62 YEARS, RETD. EMPLOYEE,
R/O. ITAGI, TQ. KUKANOOR, DIST. KOPPAL,
NOW RESIDING AT VEERABHADRESHWARA,
AGADI LAYOUT, 18<sup>TH</sup> CROSS, POLICE COLONY,
KINNAL ROAD, KOPPAL, TQ. DIST. KOPPAL-583229.

...PETITIONER

(BY SRI. M V HIREMATH, ADVOCATE)

#### **AND:**

GOPALAREDDY S/O. SHANKRAPPA BHEEMAREDDY, AGE: 54 YEARS, OCC. AGRICULTURE, R/O. TALAKAL, TQ. KUKANOOR, DIST. KOPPAL-583229.

...RESPONDENT

(BY SRIYUTHS. C.S. SHETTAR AND KAVYA C. SHETTAR, ADVOCATES)

THIS WP IS FILED UNDER ARTICLE 226 AND 227 OF CONSTITUTION OF INDIA, PRAYING TO,A) ISSUE A WRIT IN THE NATURE OF CERTIORARI QUASHING THE IMPUGNED ORDER PASSED ON I.A.NO.2 FILED U/O XXVI RULE 13 R/W 151 OF CPC FOR APPOINTMENT OF COURT COMMISSIONER FOR EXECUTION OF REGISTERED SALE DEED BY ORDER DATED 22.08.2023 ON THE FILE OF SENIOR CIVIL JUDGE AND JMFC, YALBURGA IN EP.NO.41/2022 VIDE ANNEXURE-A AND ETC.,





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

#### **ORAL ORDER**

(PER: THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ)

- The petitioner is before this Court seeking for the following reliefs:
  - A) Issue a writ in the nature of certiorari quashing the impugned order passed on I.A.No.2 filed u/o XXVI Rule 13 R/w 151 of CPC for appointment of Court commissioner for execution of registered sale deed by order dated 22.08.2023 on the file of Senior Civil Judge and JMFC, Yalburga in EP.No.41/2022 vide **Annexure-A.**
  - B) Grant such other relief as this Hon'ble Court deems fit in the circumstances the case, in the interest of justice and equity.
- Learned counsel for the petitioner submits that the petition has rendered infructuous.
- Submission is taken on record. The petition is dismissed as having become infructuous.

Sd/-(SURAJ GOVINDARAJ) JUDGE

SH

CT:PA, List No.: 1 SI No.: 54