

CIRCULAR No.05/2020

SUB: Directions to the District Judiciary as per the order passed in C.C.C.No.100093/2017 (CIVIL) dated 27.02.2020 - reg.

It is noticed that in respect of same subject matter, number of execution proceedings are being filed and Courts are entertaining the same as office is not putting any note regarding earlier execution proceedings being filed.

Further, in respect of this subject, High Court in order dated 27.02.2020 passed in C.C.C.No.10093/2017, has observed as under:

“ 6. Though we find no mistake so far as the Judge who entertained the Execution Petition is concerned, but we feel it just and necessary to direct the Registrar General of High Court of Karnataka to send a circular to all the concerned Courts with a direction to the concerned Chief Administrative Officers and Chief Ministerial Officers of the Court, whenever any execution petition or any execution proceedings are filed before the Court in connection with the same subject matter any other case is pending or earlier case is filed, the Office has to take care to put up a note with regard to the same so as to enable the concerned Judge to pass appropriate orders in this regard.”

Hence, all the Judicial Officers in the State are hereby directed to instruct the concerned Chief Administrative Officers and Chief Ministerial Officers of the Court, that whenever any execution petition or any execution proceedings are filed before the Court in connection with the same subject matter, any other case is pending or earlier execution proceedings is filed, the Office has to take care to put up a note with regard to the same so as to enable the concerned Judge to pass appropriate orders in this regard.

BY ORDER OF THE HON'BLE CHIEF JUSTICE,

Sd/-

(RAJENDRA BADAMIKAR)
REGISTRAR GENERAL

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Copy for information and necessary action to:-

1. The P.S. to Hon'ble Chief Justice.
2. All Private Secretaries to Hon'ble Judges.
3. The Registrar General, Registrar (Vigilance), Registrar (Recruitment), Registrar (Judicial), Registrar (Infrastructure & Maintenance), Registrar (Administration), Registrar (Computers), Registrar (Review & Statistics), Bengaluru.
4. The Addl. Registrar General Dharwad Bench.
5. The Addl. Registrar General Kalaburagi Bench.
6. The Central Project Co-ordinator, with a request to web-host the circular in the High Court Website.
7. The Prl. City Civil & Sessions Judge, Bengaluru City,
8. All the Prl. Dist. & Sessions Judges in the State.
9. The Chief Judge, Court of Small Causes, Bengaluru.
10. All the Prl. Judges, Family Courts in the State.
11. All the Presiding Officers, Industrial Tribunals, Labour Courts in the State. in the State.
12. The Member Secretary, KSLSA, Benglauru.
13. The Director, Karnataka Judicial Academy, Bengaluru.
14. The Director, Mediation Center, Bengaluru.
15. The Director, Arbitration Center, Bengaluru.
16. Circular Copy.
17. Office Copy.

With a request to circulate the copy of the Circular amongst all the Judicial Officers working in your unit.