

Case is taken on board suo-moto.

In this case that on 18-03-2019 Sri P.R.Badiger advocate appointed as court commissioner and directed to remove the construction erected in encroached area in accordance with decree passed in OS No.86/2015.

That on 23-07-2020 this court has passed orders on IA No.3 and directed the Section Officer, HESCOM, Guledagudda to disconnect the electricity supply given to the meter No.DSG/RR No.RGCYLYD31310 and RR No.LYD 247 attached to 'NOPQ' and 'ILMF' portion as shown in hand sketch annexed to the plaint in OS No.86/2015. In the said order PSI, Guledagudda police is directed to render necessary police assistance to court commissioner/ Advocate Sri P.R.Badiger in executing the commissioner warrant.

Notice of Hon'ble High Court of Karnataka, Bengaluru dtd: 05-08-2020 reads as follows...

The Division Bench of Hon'ble the Chief Justice and Hon'ble Mrs Justice B V Nagarathna, in Writ Petition No 6435 of 2020 and connected matters, passed the following order on April 16, 2020:

“Our attention is invited to our Order dated 24th March, 2020 and in particular, the direction regarding extension of interim orders. The directions are contained in clause (i) to (iii). Clause (iv) is regarding agencies and instrumentalities of the State Government taking action of demolition and eviction. The material part of the said order read thus:

“Only with the view to ensure that citizens are not deprived of their right to approach the Courts of law, we propose to exercise our jurisdiction under Articles 226

and 227 of the Constitution of India by issuing certain directions. The directions are required to be issued to ensure that litigants should not suffer on account of their inability to approach the Courts of law. We issue the following directions:

- (i) XXXXX
- (ii) XXXXX

(iii) If any orders of eviction, dispossession or demolition are already passed by the High Court, District or Civil Courts, the same shall remain in abeyance for a period of one month from today;

- (iv) XXXXX

The Division Bench had extended the above order dated April 16, 2020 from time to time, which will expire on August 7, 2020. The matter was again listed and the Division Bench by order dated August 4, 2020, has extended the above order dated April 16, 2020 till September 30, 2020.

In the light of the orders of Hon'ble High Court Karnataka in WP No.6435/2020 and connected matters, orders of eviction, dispossession or demolition are already passed by the High Court, District or Civil Courts, the same shall remain in abeyance for a period of one month from today.

The said order is extended till 30th September 2020. Hence, it would be just and proper to intimate the learned counsel for DHR, Court Commissioner/Advocate Sri PRB, Section Officer, HESCOM, Guledgudda and PSI, Guledgudda police that the orders of this court dtd: 18-03-2019 and 23-07-2020 shall remain in abeyance till 30th September 2020 in the light of the orders of Hon'ble High Court, Karnataka passed in WP No.6435/2020.

Office to intimate the same to the learned counsel for DHR, Court

Commissioner/Advocate Sri PRB, Section
Officer, HESCOM, Guledgudda and PSI,
Guledgudda police station forthwith.

Call on 10-08-2020.

sd/-
ACJ & JMFC, Badami.