



IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 22ND DAY OF APRIL, 2026
BEFORE
THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM
WRIT PETITION NO. 772 OF 2025 (GM-KSR)

BETWEEN:

1. LAKSHMINARAYAN RAO EDUCATION SOCIETY (R)
NO.3, 12TH CROSS
1ST STAGE, IDEAL HOMES
RAJARAJESHWARI NAGAR
BENGALURU - 560 039.
REPRESENTED BY ITS SECRETARY

...PETITIONER

(BY SRI. MURALIDHAR H M, ADVOCATE)

AND:

1. SRI. M R SRINIVAS
S/O M RAMAIAH
AGED ABOUT 60 YEARS
RESIDING AT NOS.3
FLAT NO.405, DOLLARS SCHEME
LAYOUT NANDINI LAYOUT
BENGALURU - 560 096.
2. DEPUTY REGISTRAR OF CO OPERATIVE
SOCIETIES-CUM-DISTRICT
REGISTRAR OF SOCIETIES
1ST CIRCLE BENGALURU DISTRICT
OFFICE AT NO.146
SAHAKARA SOUDHA
3RD MAIN ROAD
MARGOSA ROAD , MALLESHWARAM
BENGALURU - 560 003.





3. KARNATAKA APPELLATE TRIBUNAL
MULTISTOREYED BUILDING
DR. B R AMBEDKAR VEEDHI
BENGALURU - 560 001.
REPRESENTED BY ITS REGISTRAR

...RESPONDENTS

(BY SRI. RAJESHWARA P N, ADVOCATE FOR R1;
SRI. K P YOGANNA, ADVOCATE FOR R2 & R3)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ALLOW THE WRIT PETITION TO QUASH THE ORDER DATED 09.05.2024 PASSED BY THE KARNATAKA APPELLATE TRIBUNAL, BENGALURU (R-3) IN COP APPEAL NO. 187/2023 VIDE ANNEXURE-A OR IN THE ALTERNATIVE PASS SUCH OTHER ORDERS AND ETC.,

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

CORAM: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

ORAL ORDER

The captioned petition is filed assailing the order dated 9.05.2024 passed by the Karnataka Appellate Tribunal in COP Appeal No. 187/2022.

2. The counsel appearing for respondent No. 1 has raised an objection that the captioned writ petition is not maintainable as petitioner is not a party to the appeal.



3. Heard the counsel appearing for petitioner, learned AGA appearing for respondent No. 2 and the counsel appearing for respondent No. 1.

4. The records would disclose that the first respondent has preferred an appeal in COP Appeal No.187/2023 calling in question the order passed by the second respondent, whereby the permission earlier granted for amendment of the bye-laws came to be withdrawn. The principal contention urged by the first respondent before the Appellate Tribunal is that such withdrawal of permission partakes the character of an order amenable to appeal under sub-section (2) of Section 10 of the Karnataka Societies Registration Act, 1960. Per contra, the private respondents before the Appellate Tribunal, namely respondents 2 to 4 herein, had entered appearance and filed I.A. No.4 specifically questioning the maintainability of the appeal. It is, however, not in dispute that upon rejection of the said interlocutory application by the Tribunal, the said private respondents have not chosen



to assail the said order before any superior forum and have allowed the same to attain finality.

5. At the outset, this Court finds that the present writ petition suffers from serious infirmities touching upon its very maintainability. Firstly, the petitioner is admittedly not a party to the proceedings in COP Appeal No.187/2023 pending before the Appellate Tribunal and has approached this Court without seeking leave to maintain the present writ petition. Secondly, the very parties who had contested the maintainability of the appeal before the Tribunal, namely respondents 2 to 4, have not been arrayed as parties to the present proceedings. The non-impleadment of necessary and proper parties, coupled with the absence of locus on the part of the petitioner, renders the petition liable to be rejected at the threshold on these two independent and substantial grounds.

6. Even otherwise, on a consideration of the matter on merits, this Court is of the considered view that



no interference is warranted. The action of the first respondent in withdrawing the permission earlier accorded for amendment of the bye-laws undoubtedly constitutes an order having civil consequences and is, therefore, amenable to the appellate remedy provided under subsection (2) of Section 10 of the Karnataka Societies Registration Act, 1960. The Appellate Tribunal, upon a meticulous examination of the statutory scheme and the nature of the order impugned therein, has rightly rejected I.A. No.4 filed by respondents 2 to 4 questioning the maintainability of the appeal. Significantly, the said respondents, at whose instance the objection as to maintainability was raised, have accepted the order of the Tribunal and have not chosen to challenge the same. In such circumstances, this Court finds no justification for a third party, who was not even a participant in the proceedings before the Tribunal, to invoke the extraordinary jurisdiction of this Court to assail an order



which has otherwise attained finality inter se the contesting parties.

7. For the foregoing reasons, this Court does not find any infirmity, illegality, or perversity in the order impugned so as to warrant interference under Articles 226 and 227 of the Constitution of India. The writ petition, being devoid of merits and suffering from want of maintainability, stands ***dismissed***.

Registry is directed to forthwith remit the Trial Court Records (T.C.Rs.) to the Appellate Tribunal.

**SD/-
(SACHIN SHANKAR MAGADUM)
JUDGE**

ALB
List No.: 1 Sl No.: 56