



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR

WRIT PETITION NO.1405 OF 2026 (GM-CPC)

BETWEEN:

MS. AEVEXIA WELLNESS PRIVATE LIMITED
HAVING REGD. OFFICE AT NO.180
STONE HOUSE, 4TH 'D' MAIN ROAD
MAHALAKSHMI LAYOUT
BENGALURU – 560 086.
REP. BY ITS MANAGING DIRECTOR
DR JAYACHANDRA M S/O LATE MARIGOWDA
AGED ABOUT 59 YEARS
R/A NO.181, 12TH 'A' CROSS
WEST OF CHORD ROAD
MAHALAKSHMIPURAM
BENGALURU – 560 086.

...PETITIONER

(BY SRI. S.RAJASHEKAR, ADVOCATE)

AND:

M/S.HMG ASSOCIATED CONSTRUCTIONS PVT. LTD
A COMPANY INCORPORATED UNDER
THE INDIAN COMPANIES ACT 1956
HAVING ITS REGISTERED OFFICE AT NO.24
"ZEENATH HOUSE" COWL BAZAAR
BELLARY – 583 102
REP BY ITS SIGNATORY AUTHORITY
MR SUHAIL AHMED.

...RESPONDENT

(BY SRI. MOHAMMAD NIYAZ S., ADVOCATE)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE
CONSTITUTION OF INDIA PRAYING TO SET ASIDE THE ORDER DATED
09.01.2026 PASSED BY THE LXXXV ADDITIONAL CITY CIVIL AND
SESSIONS JUDGE AT BENGALURU (COMMERCIAL COURT) (CCH-86) IN
COMMERCIAL EXECUTION PETITION NO.291/2023 VIDE ANNEXURE-A.

THIS PETITION, COMING ON FOR *ORDERS*, THIS DAY, ORDER
WAS MADE THEREIN AS UNDER:





CORAM: HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR

ORAL ORDER

In this petition, petitioner seeks the following reliefs:

“(a) Issue a writ of certiorari to set aside the order dated 09.01.2026 passed by the LXXXV Additional City and Sessions Judge at Bengaluru (Commercial Court) (CCH-86) in Commercial Execution Petition No.291/2023 vide Annexure-A.

“(b) Issue any other writ, order or direction as this Hon'ble Court deems fit and proper under the facts & circumstances of this case in the interest of justice and equity.”

2. Heard learned counsel for the petitioner and learned counsel for the respondent and perused the material on record.

3. When the matter came up before this Court on 19.01.2026 this Court passed the following interim order:

“Issue emergent notice to the respondent returnable by 16.02.2026.

In the meanwhile, the impugned order dated 09.01.2026 passed in Commercial Execution Petition No.291/2023 by the LXXXV Addl. City Civil & Sessions Judge, Bengaluru (Commercial Court) (CCH-86) are hereby stayed till the next date of hearing subject to the petitioner



depositing Rs.25 lakhs before the Executing Court on or before 13.02.2026.

Liberty is reserved in favour of respondent to seek vacation / modification of this order.

Hand delivery of this order is permitted.”

4. The said interim order has not been complied with by the petitioner even till today.

5. Meanwhile, subsequent to filing of the present petition, the petitioner has preferred Commercial Appeal No.60/2026 before this Court, which is pending adjudication and in the said appeal, the petitioner has sought for appropriate interim reliefs.

6. Under these circumstances, nothing further survives in the present petition except directing that the petitioner would have to work out his remedies in the said Commercial Appeal and in accordance with law.

7. In the result, I pass the following:

ORDER

(i) The petition is accordingly disposed of reserving liberty in favour of the petitioner to work out its remedies and



obtain appropriate interim orders in Commercial Appeal No.60/2026.

(ii) In order to enable the petitioner to obtain appropriate interim orders in Commercial Appeal No.60/2026, the impugned order passed by the Executing Court dated 09.01.2026 directing issuance of arrest warrant as against the petitioner shall remain in abeyance for a period of two weeks from today.

(iii) It is further directed that after expiry of a period of two weeks from today, the Commercial Executing Court shall proceed further in the matter.

Sd/-
(S.R.KRISHNA KUMAR)
JUDGE