



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF FEBRUARY, 2026

PRESENT

THE HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE

AND

THE HON'BLE MR. JUSTICE C.M. POONACHA

COMMERCIAL APPEAL NO. 80 OF 2026

BETWEEN:

1. SRI PALAKOLANU SUDHAKAR REDDY
S/O KRISHNA REDDY
AGED ABOUT 48 YEARS
R/AT NO.3, DARSHAN LAYOUT
KADUBEESANAHALLI
PANATHUR MAIN ROAD
BANGALORE - 560 103
2. SMT. PALAOLANU SOWJANYA
W/O PALAKOLANU SUDHAKAR REDDY
AGED ABOUT 38 YEARS
R/AT NO.3, DARSHAN LAYOUT
KADUBEESANAHALLI
PANATHUR MAIN ROAD
BANGALORE - 560 103

...APPELLANTS

(BY SRI SURESH S. LOKRE, SENIOR ADVOCATE A/W
SRI SHRAVAN S. LOKRE, ADVOCATE)

AND:

1. SMT. CHUNCHU SANDHYA RANI
W/O CHUNCHU RAMA KRISHNA
AGED ABOUT 44 YEARS
R/AT FLAT NO.405
BLOCK NO.7





PANCHAVATI APARTMENT
ANAND PETA EXTENSION
PONNUR ROAD
KOTHAPETA, GUNTUR
ANDHRA PRADESH - 522 003

2. SRI CHUNCHU RAMAKRISHAN
S/O CHUNCHU VENKATESHAIAH
AGED ABOUT 45 YEARS
R/AT FLAT NO.405
BLOCK NO.7
PANCHAVATI APARTMENT
ANAND PETA EXTENSION
PONNUR ROAD
KOTHAPETA, GUNTUR
ANDHRA PRADESH - 522 003

...RESPONDENTS

(BY SRI S.V.GIRIDHAR, ADVOCATE FOR C/R-1 & 2)

THIS COMMERCIAL APPEAL IS FILED UNDER SECTION 13(1-A) OF THE COMMERCIAL COURTS ACT, 2015 READ WITH ORDER LXIII RULE 1 OF THE CODE OF CIVIL PROCEDURE PRAYING TO SET ASIDE THE SUMMARY JUDGMENT AND DECREE DATED 23.01.2026 PASSED IN COM.O.S.NO.134/2025 BY THE XI ADDITIONAL DISTRICT AND SESSIONS JUDGE (DEDICATED COMMERCIAL COURT) BANGALORE RURAL DISTRICT, BANGALORE ON I.A.NO.4 & ETC.

THIS APPEAL, COMING ON FOR ADMISSION, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE
and
HON'BLE MR. JUSTICE C.M. POONACHA



ORAL JUDGMENT

(PER: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE)

1. The appellants have filed the present appeal impugning the judgment and decree dated 23.01.2026 passed by the XI Additional District and Sessions Judge (Dedicated Commercial Court), Bengaluru Rural District, Bengaluru [**Commercial Court**] in Com.O.S.No.134/2025.

2. The operative part of the said judgment and decree reads as under:

"ORDER

IA No.4 filed by the plaintiffs under Order XIII-A Rule 2 of the Code of Civil Procedure, 1908 (CPC) as amended by the Commercial Courts Act, 2015 is hereby allowed.

Claim of the plaintiffs seeking ejectment directing the defendants to quit and deliver vacant possession of the scheduled property is allowed.

Defendants shall quit and deliver the vacant possession of the suit schedule property to the plaintiffs within 30 days from the date of this order.

In default, plaintiffs are at liberty to secure the vacant possession of the suit schedule property through the process of court at the cost of the defendants.

Draw decree accordingly."

3. The said decree was passed in pursuance to an application filed by the respondents (plaintiffs in the suit) under Order XIII-A



Rule (2) of the Code of Civil Procedure, 1908 [**CPC**] as amended by the Commercial Courts Act, 2015.

4. We find no grounds to interfere with the impugned judgment and decree.

5. The present appeal was heard on 23.02.2026 and after some arguments, the parties have agreed that the appellants may occupy the premises in question for a period of three (3) months, subject to payment of ₹3,70,000/- per month as occupation charges. The parties have also agreed that the same would be without prejudice to their rights and contentions of the parties.

6. The appellants have now furnished an undertaking in the form of an affidavit to the aforesaid effect, which is accepted.

7. It is noted that the other disputes regarding arrears of rent and other amounts claimed by the plaintiffs are pending. The learned Commercial Court had also passed orders in this regard.

8. In the aforesaid view, we clarify that accepting the said undertaking will not preclude the parties from advancing their rival contentions in that regard.



9. The impugned judgment and decree is confined only to the question of eviction. Thus the present appeal would not survive after the parties have agreed that the appellants may continue in occupation for a period of further three months, i.e., till 05.06.2026. The parties have also agreed that the appellants pay the respondents a sum of ₹3,70,000/- per month, as occupation charges for the said period of three months without prejudice to other rights and contentions of the parties.

10. In view of the above, the appeal, is disposed of.

11. Pending applications, if any, stand disposed of.

**Sd/-
(VIBHU BAKHRU)
CHIEF JUSTICE**

**Sd/-
(C.M. POONACHA)
JUDGE**

KMV
List No.: 2 SI No.: 6