



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21ST DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

WRIT PETITION NO. 4462 OF 2025 (GM-CPC)

BETWEEN:

SRI BABU H V
AGED ABOUT 38 YEARS
R/A, NO.12/4
RAILWAY PARALLEL ROAD
NEHRU NAGAR, SHESHADRI PURAM
BANGALORE 560020

...PETITIONER

(BY SRI. PRAVEEN KAMATH M R., ADVOCATE AND
SRI. KARTHIK N, ADVOCATE
SRI. B N SURESH BABU, ADVOCATE)

AND:

1. SRI MANISH KUMAR SETHLYA
S/O DEVENDRA KUMAR SETHLYA
AGED ABOUT 41 YEARS
R/A NO. 344/88, 18TH CROSS
16TH MAIN, 2ND FLOOR MC LAYOUT
VIJAYNAGAR, BENGALURU-560040.

2. SRI. SANJEEV NAHATA
S/O SRI. PRASANA KUMAR NAHATA
AGED ABOUT 42 YEARS
RESIDING AT NO.155, 2ND FLOOR
VIJAYNAGAR, BANGALORE-560040

...RESPONDENTS

(BY SRI. PANKAJ., ADVOCATE FOR R1:
NOTICE TO R2 IS DISPENSED WITH
V/O DATED 26.03.2026.)

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF
THE CONSTITUTION OF INDIA PRAYING TO PASS AN
APPROPRIATE WRIT, ORDER OR DIRECTION IN THE NATURE
OF CERTIORARI SETTING ASIDE THE IMPUGNED ORDER





DATED 03.02.2025 PASSED BY THE LEARNED PRINCIPAL SENIOR CIVIL JUDGE AND JMFC AT DODDABALLAPURA IN OS NO. 175/2024 (ANNEXURE -A) AND/OR DIRECTING TO CONSIDER IA NO. 7 FILED BY THE PETITIONER IN OS NO. 175/2024 VIDE ANNEXURE-D PENDING ON THE FILE OF THE LEARNED PRINCIPAL SENIOR CIVIL JUDGE AND JMFC AT DODDABALLAPUR AND ETC.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:
CORAM: HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

ORAL ORDER

1. In this writ petition, the petitioner-defendant No.2 has called in question the impugned order dated 03.02.2025 passed by the Principal Senior Civil Judge and JMFC, Doddaballapura (hereinafter referred to as 'Trial Court' for short) in O.S.No.175/2024, whereby the request of the petitioner-defendant No.2 for filing an objection to I.A.Nos.4 and 5 has been rejected.

2. The plaintiff has filed a suit seeking for the relief of declaration and injunction. The plaintiff also filed I.A.Nos.1 to 5 seeking injunctions, amendments and impleadment of the parties. After service of summons, defendant No.2 filed I.A.No.7 under Order VII Rule 11 of CPC seeking



rejection of the plaint. In spite of granting a sufficient opportunity to the petitioner, he has not filed any objections to I.A.Nos.4 and 5 filed by the plaintiff. The Court by order dated 03.02.2025 heard on I.A.Nos.1 to 5 and posted for orders and further rejected the request of the petitioner to file objection to I.A.Nos.4 and 5 filed by the plaintiff. Being aggrieved by the same, the petitioner-defendant No.2 is before this Court.

3. Learned counsel for the petitioner submits that, if this Court grants time, the petitioner will file objections to I.A.Nos.4 and 5 on or before 27.04.2026.

4. Learned counsel for respondent No.1 submits that he has no objection to the petitioner filing objections to the said applications on or before 27.04.2026, subject to payment of costs.

5. In view of the above, following order is passed:

ORDER

a) The writ petition is ***disposed of.***



- b) The impugned order dated 03.02.2025 passed by the Trial Court in O.S.No.175/2024, insofar as it rejects the petitioner's request to file objections to I.A.Nos.4 and 5, is hereby set aside.
- c) The petitioner is permitted to file objections to I.A.Nos.4 and 5 on or before 27.04.2026, subject to payment of costs of Rs.15,000/- payable to the plaintiff (respondent No.1 herein) on the next date of hearing, i.e., 27.04.2026.
- d) The Trial Court is directed to dispose of I.A.Nos.1 to 5, in accordance with law and as expeditiously as possible.
- e) The parties are directed to cooperate for early disposal of the said applications.

Sd/-
(H.T. NARENDRA PRASAD)
JUDGE