



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE K. V. ARAVIND

WRIT PETITION No. 9175 OF 2026 (GM-CPC)

BETWEEN:

1. SRI ANURAG SINGHI,
S/O SRI DINESH KUMAR SINGHI,
AGED ABOUT 29 YEARS,
RESIDING AT 'SINGHI VILAS',
NORRIS ROAD, RICHMOND TOWN,
BENGALURU-560025.

...PETITIONER

(BY SRI AJAY J. NANDALIKE, ADVOCATE)

AND:

1. SRI H. P. SIDDARTH,
S/O SRI H.E. PANDURANGA,
AGED ABOUT 28 YEARS,
RESIDING AT No.473,
8TH MAIN, 4TH CROSS,
THARASUBBA RAO ROAD,
HANUMANTHANAGAR,
BENGALURU-560019

...RESPONDENT

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF
THE CONSTITUTION OF INDIA PRAYING TO QUASHING THE
IMPUGNED ORDER DATED 05.01.2026 PASSED IN O.S. No.
7801/2022 BY THE HON'BLE XXIV ADDL. CITY AND CIVIL





SESSIONS JUDGE, BANGALORE CITY (CCH-6) VIDE
ANNEXURE-A.

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

CORAM: HON'BLE MR. JUSTICE K. V. ARAVIND

ORAL ORDER

Heard Sri Ajay J. Nandalike, learned counsel for the
petitioner.

2. The defendant in O.S. No. 7801/2022, on the file of
the XXIV Additional City Civil and Sessions Judge, Bangalore
City, is before this Court, assailing the order on Preliminary
Issue No. 3 dated 05.01.2026.

3. The respondent-plaintiff herein instituted the suit
seeking recovery of a sum of Rs. 2,43,00,000/- in connection
with the agreement of sale dated 30.11.2019 relating to an
immovable property situated in Ballari City. The petitioner-
defendant filed a written statement denying the agreement of
sale and raising an objection to the territorial jurisdiction of the



Court, contending that the immovable property is situated within the jurisdiction of Ballari and, therefore, the trial Court has no jurisdiction to entertain the suit. The trial Court, upon considering the objections, rejected the application by applying Section 20 of the CPC.

4. Sri Ajay J. Nandalike, learned counsel for the petitioner, submits that the suit is one for recovery of money, being the consideration allegedly paid under an agreement of sale in respect of two immovable properties situated in Ballari City. It is contended that the case would fall under clause (d) of Section 16 of the CPC, as the relief sought necessarily involves a right or interest in relation to immovable property.

4.1 He further submits that Section 20 of the CPC is applicable only when Sections 16 to 19 are not attracted, and that Section 20 is a residuary provision. In support of his submissions, learned counsel places reliance on the judgment of the Hon'ble Supreme Court in ***Harshad Chiman Lal Modi v. DLF Universal Ltd. and Another***, reported in ***(2005) 7 SCC 791***.



5. The submissions made by the learned counsel for the petitioner have been considered.

6. The respondent instituted the suit for recovery of a sum of Rs. 2,43,00,000/- with interest at 12% per annum. As pleaded, the suit for recovery has been instituted on account of the inability of the defendant to complete the sale transaction as agreed under the agreement of sale dated 30.11.2019.

7. No doubt, the amount sought to be recovered arises out of a transaction relating to immovable property. However, while considering the question of jurisdiction of the trial Court, the nature of the prayer requires to be examined. The prayer in the suit is only for recovery of the advance consideration paid. To attract Section 16 of the CPC, there must be a prayer for determination of any right or interest in immovable property. In the present case, the relief sought is not in relation to any such right or interest in immovable property. Merely because the right to recovery arises out of a transaction concerning immovable property, the jurisdiction cannot be determined



under Section 16 of the CPC. In such circumstances, Section 20 of the CPC would govern the determination of jurisdiction.

8. The trial Court, having regard to the fact that, except for the property forming the subject matter of the agreement of sale situated at Ballari City, both the parties are residing in Bengaluru, and the bank accounts through which the advance consideration was transacted are also maintained at Bengaluru branches, has answered the preliminary issue against the petitioner.

9. While arriving at the said conclusion, the trial Court has applied Section 20 of the CPC. The trial Court has further observed that the legal notices exchanged between the parties also emanated from Bengaluru. The trial Court has rightly concluded that the suit is not filed seeking any relief in respect of the immovable property situated at Ballari, and that the suit is one purely for recovery of money.

10. This Court finds no infirmity in the conclusion reached by the trial Court. No error or illegality is made out



warranting interference with the order of the trial Court.
Accordingly, the writ petition stands ***rejected***.

Any observations made in this order are only for the purpose of disposal of this writ petition and shall not prejudice or affect the rights and contentions available to the parties in the pending suit.

**Sd/-
(K. V. ARAVIND)
JUDGE**