HC-KAR

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF MARCH, 2026

BEFORE

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

WRIT PETITION NO. 9087 OF 2026 (GM-CPC)

BETWEEN:

SRI. B.L. SHANKARAPPA
S/O LATE B.M. LAKSHMANAPPA
AGED ABOUT 75 YEARS
R/AT NO.643, 10TH 'A' CROSS ROAD
2ND STAGE, WEST OF CHORD ROAD
MAHALAKSHMIPURAM
BENGALURU-560 086

...PETITIONER

(BY SRI. SRIKAR KRISHNA B.R FOR
SRI. SAMPATH A, ADVOCATES)

AND:

1. SRI. B.M. VIJETHA
S/O B.L. MANOHAR
AGED ABOUT 39 YEARS
R/AT NO.114, 4TH 'B' MAIN ROAD
MAHALAKSHMI LAYOUT
BENGALURU-560 086

2. SMT. B.M. SHWETHA
D/O B.L. MANOHAR
W/O N. NEERUP KUMAR
AGED ABOUT 36 YEARS
R/AT NO.128, VAJRAHALLI
THALAGHATTAPURA POST
BENGALURU-560 109

Digitally signed by DHANALAKSHMI MURTHY
Location: HIGH COURTOF KARNATAKA

3. SRI. B.M. SUMANTH
S/O B.L. MANOHAR
AGED ABOUT 28 YEARS
REPRESENTED BY HIS MOTHER
AND NATURAL GUARDIAN
SMT. ASHA
W/O B.L. MANOHAR
R/AT NO.114, 4TH 'B' MAIN ROAD
MAHALAKSHMI LAYOUT
BENGALURU-560 086

4. SMT. B.N. ROOPA
D/O B.L. NAGARAJ
W/O DARSHAN
AGED ABOUT 44 YEARS
R/AT NO.47, 1ST MAIN, 1ST CROSS
KATTIGENAHALLI, YELAHANKA
BENGALURU-560 064

5. SMT. B.N. DEEPA
D/O B.L. NAGARAJ
W/O GOVARDAN
AGED ABOUT 40 YEARS
R/AT "LAKSHMI VENKATESHWARA
NILAYA", NO.1, 1ST FLOOR
2ND MAIN, 2ND CROSS
SHOMESHWARANAGAR
JAYANAGAR 1ST BLOCK
BENGALURU-560 011

6. SRI. B.L. NAGARAJU
S/O LATE B.M. LAKSHMANAPPA
AGED ABOUT 67 YEARS
R/AT NO.40/19-B, 4TH CROSS
GANESHA BLOCK, MAHALAKSHMI LAYOUT
FURTHER EXTENSION
BENGALURU-560 086

7. SRI. B.L. MANOHAR
S/O LATE B.M. LAKSHMANAPPA

AGED ABOUT 63 YEARS
R/AT NO.114, 4TH 'B' MAIN ROAD
MAHALAKSHMI LAYOUT
FURTHER EXTENSION
BENGALURU-560 086

8. SMT. L. SUSHEELAMMA
D/O LATE B.M. LAKSHMANAPPA
W/O G. NAGENDRA
AGED ABOUT 72 YEARS
R/AT NO.180, 3RD CROSS
SOMESHWARA LAYOUT, HALASURU
BENGALURU-560 008

9. SMT. L. UMADEVI
D/O LATE B.M. LAKSHMANAPPA
W/O M. MUNIRAJU
AGED ABOUT 69 YEARS
R/AT NO. 179, GEDDALAHALLI
NEAR BDA PARK, SANJAYNAGAR
BENGALURU-560 094

10. SRI. J. SUDHEER
S/O B. JAYARAM AND
LATE SMT. L. GANGADEVI
AGED ABOUT 50 YEARS
R/AT NO.304, 9TH 'B' CROSS
ANJANEYASWAMY TEMPLE
VIRUPAKSHAPURA, KODIGEHALLI
VIDYARANYAPURA POST
BENGALURU-560 097

11. SMT. J. SUNITHA
D/O B. JARAYAM AND
LATE SMT. L. GANGADEVI
W/O. C.N. DRISHNAN
AGED ABOUT 52 YEARS
R/AT NO. 1695, PAVANAGANGA
'C' BLOCK, ANJANI EXTENSION

CHINTAMANI-563 125
CHIKKABALLAPURA DISTRICT

12. SMT. V. PADMAVATHI
W/O B.L. SHANKARAPPA
AGED ABOUT 64 YEARS

13. SRI. B.S. ANIL KUMAR
W/O B.L. SHANKARAPPA
AGED ABOUT 42 YEARS

RESPONDENT NOs.12 AND 13 ARE
R/AT NO.643, 10TH 'A' CROSS ROAD
2ND STAGE, WEST OF CHORD ROAD
MAHALAKSHMIPURAM
BENGALURU-560 086

14. SMT. B.S. SAVITHA
D/O B.L. SHANKARAPPA
W/O S. SRIDHAR
AGED ABOUT 46 YEARS
R/AT NO.462, 18TH MAIN
80 FT. ROAD, IDEAL HOMES LAYOUT
RAJARAJESHWARINAGARA
BENGALURU-560 086

15. SMT. B.S. SANGEETHA
D/O. B.L. SHANKARAPPA
AGED ABOUT 40 YEARS
R/AT NO.9, 2ND BLOCK
2ND CROSS, 80 FT. ROAD
H.R.B.R. LAYOUT, BANASWADI
BENGALURU-560 043

16. M/S. SKYMETAL DEVELOPERS
PVT. LTD., REPRESENTED BY
KAILASH CHANDRAMISHRA
REGISTERED OFFICE NO.G-27
GROUND FLOOR, RASVILAS SALCON MALL

SAKAT DISTRICT CENTRE
SAKET, DELHI-110 017

17. SRI S.S. NANDY
S/O. R.R. NANDY
AGED ABOUT 67 YEARS
R/AT NO.137/138, UDAYNAGAR
2ND MAIN, 5TH CROSS
BENGALURU-560 064

18. M/S. BHUWALKA AND SONS PVT. LTD. CO.,
REGISTERED OFFICE AT BHUWALKA
LANDMARK, NO.5, WALKER LANE
LANGFORD TOWN ROAD
RICHMOND TOWN
BENGALURU-560 025

REPRESENTED BY ITS DIRECTOR
SRI. KISHEN BHUWALKA
AGED ABOUT 60 YEARS
S/O BALCHAND BHUWALKA
R/AT NO.214, DOUBLE ROAD
INDIRANAGAR, 2ND STAGE
BENGALURU-560 038

…RESPONDENTS

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE LEARNED FIRST ADDL. CITY CIVIL AND SESSIONS JUDGE (CCH-2) BENGALURU TO PASS ORDERS ON IA NO. I, VIDE ANNX-D FILED IN O.S NO. 5266/2022 AT THE EARLIEST, NOT LATER THAN ONE MONTH.

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

This writ petition is filed by defendant No.1 under Article 227 of the Constitution of India, seeking a direction to the trial Court to dispose of the application filed by the plaintiffs under Order XXXIX Rules 1 and 2 r/w. Section 151 of the Code of Civil Procedure, as well as the application filed by the petitioner/defendant No. 1 under Order XXXIX Rule 4 of the CPC.

2. The plaintiffs have filed a suit in O.S. No. 5266/2022 for partition and separate possession. Along with the plaint, they filed applications under Order XXXIX Rules 1 and 2 seeking ex parte temporary injunction. The trial Court, by order dated 16.08.2022, granted an ex-parte temporary injunction to the extent of IA No.1.

3. Upon appearance, defendant No. 12 filed a written statement and also filed I.A. No. 3 seeking to vacate the ex-parte interim order. For one reason or another, the matter has been adjourned repeatedly. Thereafter, the

matter was heard on the applications, and by order dated 06.11.2025, it was posted for orders on I.A. Nos. 1 to 3 and directed to be listed on 20.11.2025. However, for various reasons, the matter has continued to be adjourned, and no order has been passed on I.A. Nos. 1 to 3. Therefore, the petitioner seeks early disposal of the applications.

4. In view of the above, without expressing any opinion on the merits of the case, this writ petition stands disposed of with a direction to the trial Court to dispose of I.A. Nos. 1 to 3 by the end of April 2026.

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

CM
List No.: 1 Sl No.: 39