



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF MARCH, 2026

BEFORE

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

WRIT PETITION NO. 9362 OF 2026 (GM-CPC)

BETWEEN:

SRI. D.PRABHAKAR
S/O. SRI B.G.DASANNA
AGED ABOUT 65 YEARS
R/AT FLAT NO.2
NISHANTH DARPAN
4 MAIN, NEHRUNAGAR
BENGALURU-560001.

...PETITIONER

(BY SRI. PREETHAM P. ADVOCATE FOR
SRI. RAGHUNATHA C., ADVOCATE)

AND:

1. M/S UNIVERSAL COACHING CENTRE
OLD NO.2922/20, NEW NO.20
RAILWAY LINE PIPELINE
CAR ROAD EXTENSION
WEST R.P.C. LAYOUT
BENGALURU-560040.
REPRESENTED BY ITS PROPRIETOR
SRI. UPENDRA SHETTY.
2. SRI. ASHWIN KALLURU SOMAIAH
S/O. SRI. K.A.SOMAIAH
AGED ABOUT 45 YEARS
R/AT NO. 728, LAKE RIDGE DRIVE
WOODBURY, MINNESOTA -55129, USA.

REP BY HIS POWER OF ATTORNEY HOLDER
DR. N.K.MALATHI





W/O SOMAIAH
AGED ABOUT 78 YEARS
R/AT NO.1220, 18TH MAIN
2ND A CROSS, J.P. NAGAR
2ND PHASE, BENGALURU-560078.

...RESPONDENTS

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA, PRAYING TO DIRECT THE HON'BLE LXXV ADDL. CITY CIVIL JUDGE, AT BENGALURU (CH NO.76), TO PASS ORDERS ON THE INTERLOCUTORY APPLICATION FILED BY THE PETITIONER ON 12.03.2025 UNDER ORDER XXII RULE 10 READ WITH SECTION 151 OF CPC IN OS NO. 7014/2016, VIDE ANNEXURE-D IMMEDIATELY WITHOUT LOSS OF FURTHER TIME AND ETC.

THIS WRIT 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-applicant has sought for the following relief/s:

"a) Issue a Writ of Mandamus or Writ or direction by directing the Hon'ble LXXV Addl. City Civil Judge, at Bengaluru (CH No. 76), to pass orders on the Interlocutory Application filed by the Petitioner on 12.03.2025 under Order XXII Rule 10 read with



Section 151 of CPC in OS No. 7014/2016, vide Annexure- 'D' immediately without loss of further time.

b) Issue a Writ of Mandamus or Writ or direction by directing the Hon'ble LXXV Addl. City Civil Judge, at Bengaluru (CH No. 76), to dispose of the suit in OS No. 7014/2016, within three months from the date of the order, (Annexure-A.)

c) Issue any Writ or order or direction as this Hon'ble Court deems fit in the circumstances of the case, including an order as to cost of this Writ petition, in the interest of justice and equity."

2. The case of the petitioner-applicant is that respondent No.2-plaintiff has filed a suit seeking for ejectment and recovery of arrears of rent against respondent No.1-defendant in O.S.No.7014/2016. During the pendency of the said suit, respondent No.1-defendant sold the suit schedule property in favour of the petitioner herein under a Sale Deed dated 06.02.2025. Since the petitioner-applicant has acquired the right, title and interest over the suit schedule property, he filed an application under Order XXII Rule 10 read with Section



151 of the CPC on 12.03.2025, seeking to be substituted as plaintiff in O.S.No.7014/2016. Till this date, no order has been passed on the said application. Aggrieved by the same, the present writ petition is filed.

3. Learned counsel appearing for the petitioner-applicant has submitted that, on an earlier occasion, this Court in W.P.No.337/2024, disposed of on 07.08.2025, had directed the Trial Court to consider the application filed by the petitioner-applicant filed under Order XXII Rule 10 read with Section 151 of the CPC and pass an appropriate order. However, no order has been passed so far. Hence, he seeks a direction to the Trial Court for disposal of the application.

4. In view of the above, without expressing any opinion on the merits of the case, the Trial Court is directed to consider the application filed by the petitioner-applicant under Order XXII Rule 10 read with Section 151 of the CPC, in accordance with law, as expeditiously as possible,



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and in any event, not later than three months from the date of receipt of a certified copy of this order.

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

HA
List No.: 1 Sl No.: 31