



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH 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. 130 OF 2024

BETWEEN:

1. M/S. ARIA BREW AND DINE PRIVATE LIMITED
A REGISTERED COMPANY
HAVING ITS OFFICE AT
NO.40/1, 3RD FLOOR
CENTURY CORBEL COMMERCIAL
SAHAKAR NAGAR MAIN ROAD (60 FT ROAD)
BENGALURU - 560 092
REPRESENTED BY ITS
MANAGING DIRECTOR AND
AUTHORISED SIGNATORY
MR K.R. RAVISHANKAR

...APPELLANT

(BY SRI DHANANJAY V. JOSHI, SENIOR ADVOCATE A/W
SRI VACHAN H.U. ADVCOATE AND
SMT. KAVITHA DAMODARAN, ADVOCATE)

AND:

1. M/S. CENTURY CORBEL
A PARTNERSHIP FIRM REPRESENTED BY ITS
PARTNER MR P ASHWINI PAI AND
MR MAHESH PRABHU
2. MR P. ASHWIN PAI
AGED ABOUT 44 YEARS
S/O MR SATISH P PAI





3. MR. MAHESH PRABHU
AGED ABOUT 47 YEARS
FATHER'S NAME NOT KNOWN
TO THE APPELLANT

RESPONDENT NOS. 1 TO 3 ARE
R/AT NO.10/1, LASKHMINARAYANA COMPLEX
GROUND FLOOR
PALACE ROAD
BENGALURU - 560 052

...RESPONDENTS

(BY SRI CHANDAN K., ADVOCATE)

THIS COMMERCIAL APPEAL IS FILED UNDER SECTION 13(1)(a) OF COMMERCIAL COURT ACT READ WITH ORDER 41 RULE 1 OF CPC, PRAYING TO SET ASIDE THE IMPUGNED JUDGMENT AND DECREE DATED 19.03.2024 ONE PASSED BY THE LXXXV ADDL. CITY CIVIL AND SESSIONS JUDGE, AT BENGALURU (CCH-86) (COMMERCIAL COURT) IN COM.O.S. NO. 1789/2022 AND PASS AN APPROPRIATE ORDER TO DECREE THE SUIT FILED BY THE APPELLANT HEREIN BEFORE THE TRIAL COURT & ETC.

THIS APPEAL, COMING ON FOR HEARING, 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 appellant has filed the present appeal impugning the judgment and decree dated 19.03.2024 passed by the learned LXXXV Additional City Civil and Sessions Judge, Bengaluru [**Commercial Court**] in Com.O.S No.1789/2022. The impugned judgment was rendered in the said suit instituted by the appellant



seeking recovery of a sum of ₹6,75,38,342/- along with interest at the rate of 12% per annum.

2. The respondents also filed a counter claim. The learned Commercial Court had dismissed the suit filed by the appellant and allowed the counter claim. The appellant has filed a separate appeal challenging the impugned judgment and decree insofar as it allows the counter claim. The present appeal is confined to the challenge to the impugned judgment and decree insofar as it rejects the appellant's claim.

3. Mr. Dhananjay V. Joshi, the learned Senior Counsel appearing for the appellant submits that the appeal may be dismissed as not pressed.

4. In view of the above, the present appeal is dismissed.

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

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

AHB
List No.: 2 Sl No.:47.1