



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MS. JUSTICE TARA VITASTA GANJU

WRIT PETITION NO. 12918 OF 2022 (GM-CPC)

BETWEEN:

THE CHURCH OF SOUTH INDIA TRUST
ASSOCIATION
A CORPORATION CONSTITUTED UNDER THE
PROVISIONS OF THE INDIAN COMPANIES ACT, 1913,
HAVING ITS OFFICE AT NO.5, 'SYNOD SECRETARIAT'
WHITES ROAD, ROYAPETTAH, CHENNAI-600 014
REPRESENTED BY ITS DULY CONSTITUTED
ATTORNEYS REV. PRASANNA KUMAR SAMUEL AND
DR. VINCENT VINODKUMAR,
THE BISHOP AND SECRETARY,
RESPECTIVELY OF THE KARNATAKA CENTRAL
DIOCESE, NO.20, CSI COMPOUND,
3RD CROSS, MISSION ROAD,
BANGALORE-560 027

...PETITIONER

(BY SRI. PRADEEP KUMAR R.H FOR
SRI. B.M. ARUN, ADVOCATE)

AND:

1. MR. PRAKASH GANGARAM
AGED 65 YEARS,
S/O LATE N GANGARAM,
HAVING HIS OFFICE AT
GANGARAMS BOOK BUREAU,
TRIUMPH TOWER,
2ND FLOOR,
NO.48, CHURCH STREET,
BENGALURU-560 001



2. THE CHURCH OF SOUTH INDIA TRUST ASSOCIATION
KARNATAKA CENTRAL DIOCESE
HAVING ITS OFFICE AT NO.20,
CSI COMPOUND, 3RD CROSS,
MISSION ROAD,
BANGALORE-560 027
REPRESENTED BY ITS SECRETARY

...RESPONDENTS

(BY SRI. ARVIND RAO FOR
SRI. GEORGE JOSEPH, ADVOCATE FOR R1,
NOTICE TO R2 IS D/W, V/O DATED 26/09/2023)

THIS WP IS FILED UNDER ARTICLE 227 OF THE
CONSTITUTION OF INDIA PRAYING TO-SET ASIDE THE ORDER
DTD 18.04.2022 PASSED BY THE LXXXII ADDL CITY CIVIL AND
SESSIONS JUDGE AT BENGALURU (CCH-83) IN
COM.O.S.NO.5803/2015, THEREBY DISMISSING I.As VII AND
VIII FILED BY THE PETITIONER AND R2 / DEFENDANTS VIDE
ANNEXURE-A AND CONSEQUENTIALLY, ALLOW I.A.NOS.VII AND
VIII FILED BY THE PETITIONER.

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

CORAM: HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORAL ORDER

1. The challenge in the present petition is to an order dated
18.04.2022 in O.S.No.5803/2015 passed by the LXXXII
Addl. City Civil and Sessions Judge, Bengaluru (hereinafter
referred to as the "Impugned Order"). By the Impugned
Order, two applications filed by the petitioner/defendant



No.1, i.e., IA No.VII under Section 151 CPC to reopen the case as well as IA No.VIII under Section 151 CPC to modify the case management hearing were dismissed with costs and the petitioner/defendant No.1 was directed to pay costs in the sum of Rs.2,000/- to the respondent No.1/plaintiff.

2. This Court, by its order dated 30.06.2022 had directed that the proceedings before the Learned Commercial Court shall remain stayed. That order has continued as such since then.

3. Learned counsel for the petitioner/defendant No.1 submits that he would restrict his prayer in the present petition to a direction that he be permitted to cross-examine the respondent No.1/plaintiff on one date and that he would not take any further adjournments before the learned Trial Court.

4. Learned counsel for the respondent No.1/plaintiff submits in the interest of expediency and on instructions



that this suggestion is acceptable, provided that no additional time is granted to the petitioner/defendant No.1.

5. Accordingly, and in view of the consensus between the parties, this Court deems it apposite to modify the Impugned Order in the following terms:

ORDER

- (i) The petitioner/defendant No.1 shall be permitted to cross-examine P.W.1 on the next date of hearing as fixed before the learned Trial Court. As prayed by the petitioner/defendant No.1, the cross-examination will be concluded on the same day itself. The respondent No.1/plaintiff will be permitted to re-examine, if necessary.
- (ii) Since the respondent No.1/plaintiff has already closed his evidence, the petitioner/defendant No.1 shall lead his evidence in accordance with the timelines fixed.



(iii) The costs which were imposed by the learned Trial Court shall be paid to the respondent No.1/plaintiff on the next date of hearing.

6. Learned counsel for the parties submit that they will not take any unnecessary adjournments before the learned Trial Court. The parties are bound down by the statement made by their counsels.

7. This petition is ***disposed of*** in the foregoing terms. All pending applications stand closed.

8. It is made clear that this Court has not examined the matter on merits. The rights and contentions of the parties are left open to be agitated before the learned Trial Court.

**Sd/-
(TARA VITASTA GANJU)
JUDGE**

Yn / KS/JJ
List No.: 2 Sl No.: 8