



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. 22204 OF 2023 (GM-CPC)

BETWEEN:

M/S. AISHWARYA BUILDERS
AND DEVELOPERS
REPRESENTED BY ITS PARTNER
SRI. N.A. HARIPRASAD
S/O ANJANAPPA
AGED ABOUT 58 YEARS
R/AT NO.662, OPP. KALVARI BETTA
CAUVERY LAYOUT, DASARAHALLI
HEBBAL KEMPAPURA
BENGALURU-560 024
REP. BY ITS PARTNER

...PETITIONER

(BY SRI. ADHITYA C. SHUKAPURI, ADVOCATE)

Digitally signed by
DHANALAKSHMI
MURTHY

Location: HIGH
COURT OF
KARNATAKA

AND:

1. M/S. SRI VENKATESHWARA LAND
DEVELOPERS, NO.165, MIG
II CROSS, II MAIN, (707 SCHEME)
IV PHASE, YELAHANKA SATELLITE TOWN
BENGALURU-560 064

REPRESENTED BY ITS PARTNER

(A) SRI. A.C. SRINIVAS
S/O CHANNAVENKATAIAH
AGED ABOUT 55 YEARS



RESIDING AT CHOKKANAHALLI
JAKKUR POST, YELAHANKA HOBLI
BENGALURU-560064

(B) SRI. SHIVAKUMAR
S/O KARIBASAPPA
AGED ABOUT 63 YEARS
R/AT NO.851, II STAGE
YELAHANKA SATELLITE TOWN
BENGALURU-560 064
REP. BY ITS PARTNERS

2. M/S VENKATESHWARA HOUSE BUILDING
CO-OPERATIVE SOCIETY LIMITED
REGISTERED OFFICE AT ROOM NO.1
II FLOOR, NO.337, 9 'F' MAIN ROAD
10TH CROSS, I 'N' BLOCK
RAJAJINAGAR
BENGALURU-560 010
REPRESENTED BY ITS SECRETARY

3. SRI. K. MUKUNDA RAO
AGED ABOUT 66 YEARS
PRESIDENT OF M/S VENKATESHWARA
HOUSE BUILDING
CO-OPERATIVE SOCIETY LIMITED
NO.637, 1ST MAIN ROAD
KEMPEGOWDA NAGAR
T. DASARAHALLI
BENGALURU-560 057

SRI. VASANT A GOWDA
SINCE DEAD BY LRs

4. SMT. MAMATHA E
W/O LATE VASANTH A GOWDA
AGED ABOUT 53 YEARS



5. SRI. CHANDAN V GOWDA
S/O LATE VASANTH A GOWDA
AGED ABOUT 23 YEARS

6. MS. CHANDINI V. GOWDA
D/O LATE VASANTH A GOWDA
AGED ABOUT 23 YEARS

RESPONDENT NOS.4 TO 6 ARE
RESIDING AT NO.27, JAKKUR
NEAR JAKKUR CIRCLE
K.V. BYRE GOWDA CIRCLE
OFF BELLARY ROAD
BENGALURU-560 064

7. SMT. B.V. PADMAVATHI
D/O B.V. JAYARAM
AGED ABOUT 53 YEARS
RESIDING AT NO.455
13TH MAIN, MANJUNATHA NAGAR
BENGALURU-560 010

8. SMT. L.R. NANDINI
D/O L.R. RANGANATH
AGED ABOUT 52 YEARS
RESIDING AT KURUBARA STREET
LAKKAVALLI, TARIKERE TALUK
CHIKKAMAGALURU DISTRICT-577 128

...RESPONDENTS

(R1-SERVED;
VIDE ORDER DATED 10.04.2024 NOTICE TO OTHER
RESPONDENTS IS DISPENSED WITH)

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF
THE CONSTITUTION OF INDIA PRAYING TO QUASH THE
COMMON ORDERS DTD 12.09.2023 MADE ON I.A.NO.24 FILED
U/S 151 OF THE CODE OF CIVIL PROCEDURE AND IA NO.25
FILED UNDER ORDER XVI RULE 1, 2 AND 6 R/W SECTION 151
OF THE CODE OF CIVIL PROCEDURE IN THE SUIT,
O.S.NO.4756/2006 ON THE FILE OF THE X ADDITIONAL CITY



CIVIL AND SESSIONS JUDGE AT BENGALURU (CCH-26)
PRODUCED HERewith AND MARKED AS ANNEXURE-G TO THE
WRIT PETITION AND ALLOW THE SAID APPLICATIONS BY
GRANTING THE RELIEFS SOUGHT FOR THEREIN.

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

CORAM: HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

ORAL ORDER

A memo is filed seeking leave of this Court to
withdraw this writ petition with liberty to file a fresh writ
petition.

2. The memo dated 11.03.2026 is taken on record.
3. This writ petition is dismissed as withdrawn.
4. If the parties fail to amicably settle the matter
before the trial court, liberty is reserved to the petitioner
to challenge the order dated 12.09.2023 before this Court
by filing a fresh writ petition, in accordance with law.

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

CM
List No.: 1 Sl No.: 45