

WP NO. 31225/2025 (GM - POLICE)

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

**[MRS. AMARESHWARI VS. THE STATE OF KARNATAKA
AND OTHERS]**

17.02.2026

(VIDEO CONFERENCING)

CORAM: HON'BLE MR. JUSTICE B M SHYAM PRASAD

ORAL ORDER

The question that is presented today is: *whether this Court must extend another opportunity to file an affidavit as despite the lapse of three months and specific orders, the affidavit has not been filed*, and the only explanation, as is submitted before this Court today, is that there is a change in the Officer. Notwithstanding that the affidavit is not filed, Sri B. Ravindranath, the learned Additional Government Advocate, proposes to place on record certain documents to assert that the petition is despite an Endorsement having been issued.

The failure to file an affidavit even after three months must be frowned upon, and this Court must observe that this demonstrates a lack of regard for the Court's orders, and that too by the Police. When queried, Sri B. Ravindranath can only state that the affidavit would be filed

on the next date of hearing. The question viz., *whether another opportunity must be granted is examined in the nature of the controversy that is presented.*

The petitioner's case is that the Officer previously in-charge of the Yeshwanthpura Police Station has used his Office to prevail upon the tenants who are paying rents to the petitioner, to pay rents to her brother [*the fourth respondent who is a party to the suit*]. The petitioner proposes to rely upon the bank statements to show that the rents were being paid to her and this Court must observe that if there is a sudden change, an inference could be drawn especially when there is no affidavit despite opportunity that it is at the instance of the Police.

Before this inference is drawn with orders on the consequences that could be, an opportunity is extended to the incumbent respondent to file an affidavit furnishing the details such as **[a]** the date on which the first information was filed by the fourth respondent, **[b]** the time taken for the endorsement to be issued, **[c]** the details of the first Endorsement and the details of the later Endorsements, if

any, **[d]** the reason for the later endorsement, if issued after issuing the first endorsement. The petitioner is also reserved with liberty to file the copies of the Bank statement.

The office is directed to re-list this petition on **23.02.2026** in ***the Orders Category*** showing the representation of Sri G. Manohar for the fourth respondent.

(B M SHYAM PRASAD)
JUDGE

NV
List No.: 1 Sl No.: 19