



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. 546 OF 2025

BETWEEN:

1. KEMPASHANAIK K
SON OF KEMPASIDDAIAH
AGED ABOUT 38 YEARS
R/O SRIPATHIAHALLI, BARAGENAHALLI
NELAMANGALA - 56211
BENGALURU RURAL DISTRICT
2. KEMPASIDDAIAH
SON OF ANDALAYA
AGED ABOUT 69 YEARS
R/O SRIPATHIAHALLI, BARAGENAHALLI
NELAMANGALA - 56211
BENGALURU RURAL DISTRICT

...APPELLANTS

(BY SRI RAGHU H., ADVOCATE)

AND:

1. M/S HDB FINANCIAL SERVICES LTD
A PUBLIC LIMITED COMPANY
UNDER THE COMPANIES ACT, 1956
HAVING ITS REGISTERED OFFICE
AT GROUND FLOOR, ZENITH HOUSE
KESHVARAO KHADYE MARG
OPP. RACE COURSE, MAHALAXMI
MUMBAI - 400 013
AND REGIONAL OFFICE AT NO. 2079/43
2ND FLOOR, 9TH CROSS ROAD





HOSAHALLI EXTENSION, VIJAYANAGAR
BENGALURU - 560 104
REPRESENTED BY ITS LEGAL MANAGER
SRI VARUN

...RESPONDENT

THIS COMMERCIAL APPEAL IS FILED UNDER SECTION 13 (1) OF THE COMMERCIAL COURTS ACT, 2015 READ WITH SECTIONS 37 OF THE ARBITRATION AND CONCILIATION ACT, 1996 PRAYING TO SET ASIDE THE ORDER DATED 10.09.2025 PASSED IN COMM.EX.NO. 217/2023 BY THE XI ADDITIONAL DISTRICT JUDGE, BENGALURU RURAL DISTRICT (COMMERCIAL ESTABLISHMENT) & ETC.

THIS APPEAL, COMING ON FOR ORDERS, 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 learned counsel appearing for the appellants seeks to withdraw the present appeal.
2. The appeal is dismissed as withdrawn.

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

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