



**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 12<sup>TH</sup> DAY OF FEBRUARY, 2026**

**BEFORE**

**THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR**

**WRIT PETITION NO. 35636 OF 2025 (GM-CPC)**

**BETWEEN:**

1. MR. CHAND BHASA  
AGED ABOUT 52 YEARS  
SON OF LATE C.K.KAREEMSAB,  
R/AT NO.9, NEAR C.M.C. BHARATHI WINES,  
OLD MADRAS ROAD, K.R.PURAM,  
BANGALORE-560036

...PETITIONER

(BY SRI. O RAJANNA.,ADVOCATE)

**AND:**

1. SRI MEHABOOB BASHA.K  
S/O LATE C.K.KAREEM SAB,  
AGED ABOUT 65 YEARS,  
R/AT NO.1357, VIJAYANAGAR,  
BANGARPET-563114

...RESPONDENT

THIS WP IS FILED PRAYING TO A) ISSUE A WRIT OF CERTIORARI OR ANY OTHER WRIT OR ORDER OR DIRECTION QUASHING ANNEXURE-A THE ORDER DATED 08-07-2019 PASSED IN M.A. NO.41/2018 PASSED BY THE SENIOR CIVIL JUDGE AND PRL. JMFC., KGF AND BE PLEASED TO CONFIRM THE ORDER PASSED ON IA NO.1 DATED 01-09-2018 IN O.S. NO.80/2018 PASSED BY THE ADDL. CIVIL JUDGE AND JMFC, AT BANGARPET, VIDE ANNEXURE-D IN THE INTEREST OF JUSTICE AND EQUITY.B) GRANT SUCH OTHER RELIEF/S AS





THIS HON'BLE COURT DEEMS FIT TO GRANT IN THE CIRCUMSTANCE OF THE CASE.

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

CORAM: HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

**ORAL ORDER**

Heard learned counsel for the petitioner/defendant Sri.O.Rajanna.

2. During the course of arguments, learned counsel for the petitioner, who is the defendant in the original suit, OS.No.80/2018, files a memo seeking for a direction to be issued to the Learned Additional Civil Judge and JMFC, Bangarpet, to dispose of the original suit itself expeditiously. He also contends that he will not press the prayer 'A' made in this petition and he would be satisfied if a direction is issued to the trial Court to dispose of the main suit itself in an expeditious manner.



3. The original suit came to be filed by the respondent/plaintiff against the petitioner/defendant for the permanent injunction and other consequential reliefs. Along with the plaint, an application came to be filed by the respondent/plaintiff under Order XXXIX Rule 1 and 2 read with Section 151 of CPC, which came to be allowed. The petitioner/defendant was restrained from illegally interfering with the peaceful possession and enjoyment of the suit schedule property. This order came to be challenged by the petitioner/defendant in MA.No.41/2018. The said appeal came to be dismissed by the Senior Civil Judge and Principal, JMFC, KGF, confirming the orders passed in OS.No.80/2018. Though the petitioner/defendant has challenged the order passed in M.A.No.41/2018, he has filed a memo that he would be satisfied if a direction is given to the learned trial judge to dispose of the main suit expeditiously.

4. Learned counsel for the petitioner/defendant submits that presently the original suit in OS.No.80/2018



is in the stage of cross examination of PW1, and the petitioner/defendant would not take much time to lead his evidence. At the most he may take about a month's time. Be that as it may, sufficient time would have to be granted to both parties to adduce evidence, cross-examine the witness, and produce any documents if so advised. However, this would not mean that the trial Court is precluded from passing any judgment or order lesser than 8 months.

5. In view of the memo and the submission of learned counsel for the petitioner Sri.O.Rajanna, this Court deems it appropriate to direct the trial court to dispose of the original suit expeditiously as the suit is of the year 2018. Accordingly, I pass the following order.

**ORDER**

The petition is ***disposed of.***



2. A direction is issued to the learned Additional Civil Judge and JMFC, Bangarpet, to dispose of the original suit OS.No.80/2018 within an outer limit of 8 months.

3. It is made clear that this Court has not expressed any opinion on the merits of the matter.

4. Ordered accordingly.

**SD/-  
(PRADEEP SINGH YERUR)  
JUDGE**