



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 9TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

WRIT PETITION NO. 6052 OF 2026 (GM-CPC)

BETWEEN:

M/S LAKSHMI GOLD KHAZAANAA PVT. LTD.,
SITUATED AT NO.475
(COMPANY INCORPORATED UNDER
COMPANIES ACT 2013)
6TH CROSS, SAMPIGE MAIN ROAD
COMPANIES ACT 2013) MALLESHWARAM
BANGALORE-560003.
REP. BY ITS AUTHORIZED REPRESENTATIVE

...PETITIONER

(BY SRI. VANDANA P L., ADVOCATE)

AND:

M/S POWER SMART MEDIA (OPC) PVT LTD.,
OFFICE AT, MUNICIPAL NO.7
OLD NO.21, 11TH MAIN ROAD
1ST STAGE, 1ST PHASE, GOKUL
BANGALORE - 560054
REP. BY ITS MANAGING DIRECTOR
MR.RAKESH SANJEEV SHETTY.

...RESPONDENT

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE AN APPROPRIATE WRIT ORDER OR DIRECTION QUASHING AND SETTING ASIDE THE IMPUGNED ORDER DATED 19.01.2026 PASSED BY THE LEARNED LXXXII ADDL. CITY CIVIL AND SESSIONS JUDGE, COMMERCIAL COURT (CCH-83), BENGALURU, IN COM.O.S. NO. 738/2023, INsofar AS IT DISMISSES I.A. NOS. 9, 10 AND 11 FILED BY THE PETITIONER(VIDE ANNEXURE A) AND ETC.

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

Digitally signed
by
DHANALAKSHMI
MURTHY
Location: HIGH
COURT OF
KARNATAKA



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

ORAL ORDER

1. In this writ petition, the petitioner has called in question the order dated 19.01.2026 passed by the LXXXII Addl. City Civil and Sessions Judge, Bengaluru, on I.A.Nos.9, 10 and 11 filed in Com.O.S.No.738/2023, whereby the Trial Court has dismissed the said applications.

2. For the sake of convenience, the parties are referred to as per their ranking before the Trial Court in Original Suit.

3. The plaintiff filed a suit in Com.O.S.No.738/2023 before the Trial Court seeking following reliefs:

a) Directing the defendant to pay the balance sale consideration sum of Rs.2,83,00,000/- (Rupees Two cores eighty Three Lakhs Only) and TDS amount of Rs.17,00,000/- (Rupees Seventeen Lakhs Only) to the plaintiff along with interest for the said amount at the rate of 18% per annum from the date of suit till its payment.



b) Directing the defendant to pay Rs.1,60,95,000/- (One Crore Sixty Lakhs Ninety Five Thousands Only) towards the interest at the rate of 18% per annum on the balance sale consideration sum of Rs.2,83,00,000/- (Rupees Two cores eighty Three Lakhs Only) and TDS amount of Rs.17,00,000/- (Rupees Seventeen Lakhs Only) to the plaintiff as on the date of filing of the suit.

c) Direct the defendant to pay Rs.7,76,65,169/- towards the value of the electronic articles, office furniture's belonging to the TV1 channel of the plaintiff which are presently under usage by the defendant for telecasting their channel and running their Power TV office.

d) Direct the defendant to return the three signed blank are in the security cheques of the plaintiff which possession of the defendant.

e) Direct the defendant not to dispossess the plaintiff from the ground floor of the suit schedule property until the payment of the relief sought in the prayer (a) as mentioned above.

f) Pass an order restraining the defendant from alienating the suit schedule property until the payments due to the plaintiff mentioned in this suit are full settled.

g) To grant costs of the suit, and

h) To grant such other relief or reliefs as this Hon'ble court deems fit to grant in the facts and



circumstances of the case in the interest of justice and equity.

4. After service of suit summons, the defendant appeared and filed written statement. The Plaintiff filed I.A.No.9 under Section 151 of CPC for seeking reopening of PW.1 for further chief examination; I.A.No.10 under Order XVIII and Section 151 of CPC for recall of PW.1 for further chief-examination of PW.1 and I.A.No.11 under Section 63 of Indian Evidence Act read with Order XI Rule 1(1) of Commercial Courts Act, 2015 the petitioner to mark the documents as secondary evidence in Exhibit-P series and seeking other reliefs. The Trial Court by impugned order has dismissed the applications. Being aggrieved by the said order, the present writ petition has been filed.

5. It is seen that the plaintiff had earlier filed similar applications seeking recall and reopening of evidence, which were dismissed by the Trial Court with costs. The Trial Court, while dismissing the present applications on



19.01.2026, has clearly assigned reasons. The relevant portion of the impugned order reads as follows:

"I have gone through the order sheet, the plaintiff has filed I.A. No.7 and 8 under Section 151 of CPC and under Order XVIII Rule 17 read with Section 151 of CPC. The said application was dismissed by this court on imposing cost of Rs. 2,000/- and the chief examination of PW.1 was concluded on dated 07.04.2025. This court has grant sufficient time and adjourn the case on 04.06.2025. Further, the plaintiff has not concluded their chief-examination and prayer of the plaintiff was rejected on 17.06.2025 and the case was posted for cross-examination. Further, the plaintiff has filed an I.A. No.7 and 8 for recall and reopen of the chief-examination of Pw.1. However, the said application was dismissed with assigning proper reason. The plaintiff has took a time and case was posted on 16.07.2024, 14.08.2024, 27.07.2024, 05.09.2024, 06.08.2024, 20.09.2024, 16.10.2024, 25.10.2024, 13.11.2024 and 21.11.2024 for plaintiff evidence along with I.A. However, the plaintiff has not completed the evidence. Therefore, the reasons assigned by the Plaintiff in the accompanying affidavits are not justifiable reason to recall Pw.1. Even this court has imposed heavy cost. But the plaintiff has dragging the matter by filing previous applications. Furthermore, the cross-examination of Pw.1 was also concluded on dated 18.08.2025. Since, the plaintiff has again filed these applications. Therefore, I.A.No. 9 to 11 filed by the plaintiff are not having any merits and deserves to be dismissed."

6. Having considered the impugned order and the material on record, it is evident that the Trial Court has



granted sufficient opportunities to the plaintiff to complete the evidence. The record further discloses that earlier applications seeking similar reliefs had already been dismissed with costs. Despite the same, the plaintiff has once again filed the present applications seeking recall and reopening, even after the cross-examination of PW.1 was completed.

7. In these circumstances, the Trial Court was justified in dismissing the applications. This Court does not find any error, perversity, or illegality in the impugned order warranting interference in exercise of jurisdiction under Article 227 of the Constitution of India.

8. Accordingly, the writ petition is **dismissed**.

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

DM
LIST NO.: 1 SL NO.: 10