



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 4TH DAY OF MARCH, 2026

BEFORE

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

WRIT PETITION NO. 7196 OF 2026 (GM-CPC)

BETWEEN:

SRI JIJESH V
S/O. VIJAYAN
AGED ABOUT 48 YEARS
R/AT. NO.634, 11TH MAIN
H.A.L. 2ND STAGE
BENGALURU-560008.

PETITIONER

(BY SRI. VINAY N., ADVOCATE)

AND:

LATE SMT REVATI NARAYANAN
(SINCE DEAD BY HER LRS)

1. MAJ. GEN.K.NARAYANAN
S/O. LATE V S KRISHNAN
AGED ABOUT 58 YEARS
R/AT. C1/10, HUMAYUN ROAD
NEAR KHAN MARKET METRO STATION
NEW DELHI-110003.

2. MS. ROHINI NARAYANAN
D/O. MAJ. GEN.K.NARAYANAN
AGED ABOUT 22 YEARS
R/AT C1/10, HUMAYUN ROAD
NEAR KHAN MARKET METRO STATION
NEW DELHI-110003.

...RESPONDENTS

(BY SRI.AJAY J N, ADVOCATE FOR
SRI. HARISH JAYAKUMAR ., ADVOCATE C/RESPONDENTS)

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF
THE CONSTITUTION OF INDIA PRAYING TO SET ASIDE THE

Digitally signed by
DHANALAKSHMI
MURTHY

Location: HIGH
COURT OF
KARNATAKA



ORDER DATED: 24.02.2025 PASSED ON I.A.NO.19 (PRODUCED AT ANNEXURE-P) PASSED BY THE COURT OF LXXXIII ADDITIONAL CITY CIVIL AND SESSIONS JUDGE, COMMERCIAL COURT, BENGALURU (CCH-84) IN COM.O.S.NO. 1575/2022 AND ETC.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:
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 24.02.2026 passed by the LXXXIII Additional City Civil and Sessions Judge, Commercial Court, Bangalore (CCH-84) on I.A.No.XIX in Com.O.S.No.1575/2022, vide Annexure-P, whereby the said application filed by the plaintiff has been allowed and permitted the plaintiff to withdraw the deposit made by the defendants a sum of Rs.12,50,000/- along with the accrued interest.

2. Learned counsel appearing for the petitioner submits that the plaintiff has filed a suit for eviction. After entering appearance, the petitioner-defendant filed the written



statement. The Trial Court, by order dated 18.08.2025, has passed the following order:

"ORDER.

I.A. No. 2 filed by the plaintiff under Section 151 of CPC is partly allowed.

Consequently, defendant is directed to deposit the sum of Rs. 25,34,000/= which is the amount equivalent to admitted unpaid rent from date of filing of the suit up to 31-7-2025 and the said amount shall be deposited by the defendant within 15 days from today. Further, the defendant is directed to continue to deposit the amount equivalent to admitted monthly rent of Rs. 1,26,700/= every month from 01-08-2025 till disposal of the suit, on or before 5th of every succeeding month.

It is made clear that the amount so deposited by the defendant shall be directed to be kept in fixed deposit and shall be adjusted towards future damages / mesne profits, if any, awarded to the plaintiff, in the final judgment and the amount so deposited shall be released to the party entitled to the same, as per the result of the suit. I.A. No. 16 to 18 filed by the LRs of the plaintiff are also allowed and consequently P.W. 1 is recalled for further chief examination and the LRs of plaintiff are also



permitted to produce the original GPA dated 9-4-2022, keeping open question of admissibility, subject to payment of cost of Rs.1,000/="

3. Thereafter, the petitioner herein filed W.P.No.26714/2025 before this Court. During the pendency of the said petition, this Court, by an order dated 17.09.2025 directed the petitioner to deposit an amount of Rs.12,50,000/- before the concerned Court and reserved liberty to the respondents–plaintiffs to file an application seeking withdrawal of the said amount once the deposit is made. Pursuant thereto, the respondents–plaintiffs filed an application seeking release of the said amount. Accordingly, the impugned order came to be passed.

Learned counsel for the petitioner further submitted that the Trial Court has passed an order on 18.08.2025, wherein it has been observed that the deposited amount shall be released to the party as per the result of the suit. Therefore, the order passed by the Trial Court pursuant to



the application made by the respondents to release the said amount during the pendency of the suit is unsustainable.

4. Learned counsel appearing for the plaintiffs–respondents contended that, as per the directions of the Trial Court, the petitioner has already deposited a sum of Rs.12,50,000/-, but has not deposited the monthly rent as directed by the Trial Court. He further submitted that the plaintiffs are willing to execute an indemnity bond for the above said amount and sought permission from this Court to withdraw the same, while undertaking that in case they fail in the suit, they will repay the said amount with bank interest.

5. In view of the above, following order is passed:

- a) The writ petition is ***disposed of***.
- b) The Trial Court is directed to release the amount deposited by the petitioner–defendant, i.e., a sum of Rs.12,50,000/-, along with accrued interest, in



favour of the respondents–plaintiffs, subject to the condition that the respondents–plaintiffs **represented through GPA* shall execute an indemnity bond for the said amount. In the event the plaintiffs fail in the suit, they shall repay the entire amount with interest to the petitioner–defendant.

In view of disposal of the main petition, all pending applications, if any, stand disposed of accordingly.

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

HA
LIST NO.: 1 SL NO.: 31

** Inserted vide Chamber order dated: 25.03.2026*