NC: 2026:KHC:28496
WP No. 8558 of 2022

HC-KAR

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 12TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE VIJAYKUMAR A. PATIL

WRIT PETITION NO. 8558 OF 2022 (GM-CPC)

BETWEEN:

CANARA BANK,
SME PEENYA BRANCH,
BANGALORE.
REPRESENTED BY ITS
SENIOR MANAGER,
K.R. UMESH.

...PETITIONER

(BY SRI. VIKRAM UNNI RAJAGOPAL, ADVOCATE)

AND:

1. MS. POONAM SARDA
D/O. SRI. HANUMAN DAS SARDA,
AGED ABOUT 42 YEARS,
R/AT NO.486, WOC ROAD,
GROUND FLOOR, 2ND STAGE,
2ND PHASE, BANGALORE - 560086.

REP. BY HER NEXT FRIEND AND BROTHER:
SRI. PRAKASH SARDA
S/O SRI. HANUMAN DAS SARDA,
AGED ABOUT 51 YEARS,
R/AT NO.486, WOC ROAD,
GROUND FLOOR, 2ND STAGE,
2ND PHASE, BANGALORE - 560086.

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Location: High Court of Karnataka

2. SRI. PRAKASH SARDA,
S/O SRI. HANUMAN DAS SARDA,
AGED ABOUT 51 YEARS,
R/AT NO.486, WOC ROAD,
GROUND FLOOR, 2ND STAGE,
2ND PHASE, BANGALORE - 560086.

3. SRI. HANUMAN DAS SARDA
S/O LATE BHIKHAM CHAND SARDA,
AGED ABOUT 44 YEARS,
R/AT NO.486, WOC ROAD,
GROUND FLOOR, 2ND STAGE,
2ND PHASE, BANGALORE - 560086.

4. SRI. ANURAJ SARDA
S/O SRI. HANUMAN DAS SARDA,
AGED ABOUT 48 YEARS,
R/AT NO.486, WOC ROAD,
GROUND FLOOR, 2ND STAGE,
2ND PHASE, BANGALORE - 560086.

5. SRI. ANAND SARDA
S/O SRI. HANUMAN DAS SARDA,
AGED ABOUT 46 YEARS,
R/AT NO.486, WOC ROAD,
GROUND FLOOR, 2ND STAGE,
2ND PHASE, BANGALORE - 560086.

6. SRI. ASHISH SARDA
S/O SRI. HANUMAN DAS SARDA,
AGED ABOUT 44 YEARS,
R/AT NO.486, WOC ROAD,
GROUND FLOOR, 2ND STAGE,
2ND PHASE, BANGALORE - 560086.

7. SMT. SUMA BATHIJA
D/O LATE VASHUMAL BATHIJA,
AGED ABOUT 50 YEARS,
REP. BY HER NEXT FRIEND AND BROTHER:
SRI. JITHENDRA BATHIJA,
S/O. LATE VASHUMAL BATHIJA,
AGED ABOUT 57 YEARS,
R/AT NO.15, SWATHI MAIN,
LAKSHMI ROAD, 5TH CROSS,
SHANTHINAGAR,
BANGALORE - 560027.

8. SRI. JITHENDRA BATHIJA
S/O. LATE VASHUMAL BATHIJA,
AGED ABOUT 57 YEARS,
R/AT NO.15, SWATHI MAIN,
LAKSHMI ROAD, 5TH CROSS,
SHANTHINAGAR,
BANGALORE - 560027.

9. SRI. G.M. LINGARAJU
S/O G. MALLIKARJUNAPPA,
AGED ABOUT 52 YEARS,
R/AT GEM HOUSE,
MAIN RAOD, BHEEMASAMUDRA,
CHITRADURGA TALUK,
REP. BY HIS SPECIAL POWER
OF ATTORNEY HOLDER,
SRI. PURUSHOTTAM.

10. SMT. SHIVAMMA
S/O LATE THIMMAIAH,
AGED ABOUT 53 YEARS,

11. SRI. MUNIKRISHNA
S/O LATE THIMMAIAH,
AGED ABOUT 51 YEARS,

12. SRI. MUNIRATHNA
S/O LATE THIMMAIAH,
AGED ABOUT 47 YEARS,

13. SMT. SAKAMMA
S/O LATE THIMMAIAH,
AGED ABOUT 41 YEARS,

14. SRI. HARISH
S/O LATE THIMMAIAH,
AGED ABOUT 31 YEARS

RESPONDENT NO.10 TO 14
RESIDING AT: NO.45/4, 2ND MAIN,
3RD CROSS, HOSAHALLI,
VIJAYANAGAR, BENGALURU-560040.

…RESPONDENTS

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECTION TO THE CITY CIVIL AND SESSION JUDGE, BENGALURU FOR EARLY DISPOSAL OF THE ORIGINAL SUIT BEING O.S.NO.4878/2021 PENDING IN THE COURT OF THE CITY CIVIL AND SESSIONS JUDGE AT BENGALURU FILED BY THE R-1 AND 2 UNDER SECTION 26 READ WITH ORDER VII RULE 1 OF THE CODE OF CIVIL PROCEDURE, 1908, ON THE FILE OF LEARNED COURT OF THE CCH 15 AT BENGALURU - ANNEXURE-A AND ETC.,

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

CORAM: HON'BLE MR. JUSTICE VIJAYKUMAR A. PATIL

ORAL ORDER

This writ petition is filed seeking issuance of writ of mandamus to the trial Court to dispose of the suit in O.S.No.4878/2021 at the earliest, mainly on the ground that the interim order granted by the trial Court is operating against the petitioner-defendant.

2. Learned counsel for the petitioner submits that the order of temporary injunction was vacated by this Court in MFA.No.7402/2023 vide order dated 12.06.2024 and in view of the subsequent developments, the petitioner is not intending to press the writ petition. The submission is placed on record.

3. Accordingly, writ petition is ***disposed of*** as not pressed, keeping all contentions open.

Sd/-
(VIJAYKUMAR A. PATIL)
JUDGE

MCR
List No.: 1 Sl No.: 10