



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE E.S.INDIRESH

WRIT PETITION NO. 11178 OF 2026 (CS-RES)

BETWEEN:

1. NARENDRA KUMAR B R
S/O LATE P RAJU, AGED ABOUT 68 YEARS,
NO. 163/3, SWATHI WOODS,
4TH CROSS, 8TH MAIN ROAD,
14TH BLOCK, NAGARBHAVI 2ND STAGE,
BENGALURU - 560 027

...PETITIONER

(BY SRI. NARAYANA BHAT MOVVAR.,ADVOCATE)

AND:

1. THE MANAGING DIRECTOR
KARNATAKA MILK FEDERATION LTD.
M F COMPLEX, D R COLLEGE POST,
DR. M H MARIGOWDA ROAD,
BENGALURU-560 029
2. THE DEPUTY REGISTRAR (DIARY AND FARMING)
CO OPERATIVE SOCITIES, OFFICE OF THE
REGISTRAR-CO OPERATIVE SOCITIES, NO.1,
ALI ASKAR ROAD, BENGALURU-560 052

...RESPONDENTS

(BY SRI. YOGESH D NAIK, AGA FOR R2, NOTICE TO R1
DISPENSED WITH V/O DATED 27.04.2026)



THIS W P IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO CALL FOR THE ENTIRE RECORDS PERTAINING TO THE CASE OF THE PETITIONER AND GRANT HIM THE FOLLOWING RELIEFS ISSUE A WRIT OF CERTIORARI OR ANY OTHER APPROPRIATE WRIT, ORDER OR DIRECTIONS SETTING ASIDE THE ORDER PASSED UNDER SEC. 151 OF THE CPC DATED 31.05.2025 ON IA IN A NI/D AY-2/157/DAVA/70/2022-23 BY THE 2ND RESPONDENT PRODUCED AT ANNEXURE-H AS THE SAME IS ERRONEOUS.B) ISSUE A WRIT OF MANDAMUS AND ETC.

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

CORAM: HON'BLE MR. JUSTICE E.S.INDIRESH

ORAL ORDER

Learned Additional Government Advocate is directed to accept notice for respondent No.2. Notice to respondent No.1 is dispensed with.

2. In this petition, the petitioner is assailing the order dated 16.05.2025 passed on I.A. filed by the petitioner herein, before the respondent No. 2 as per Annexure-H, *inter alia* sought for direction to the respondent-authority, to hold that the respondent No. 2 has no jurisdiction to entertain the dispute.



3. Heard Sri. M. Narayana Bhat, learned counsel appearing for the petitioner and Sri Yogesh D Naik, learned Additional Government Advocate for the respondent No.2.

4. It is contented by Sri. Narayan Bhat, learned counsel for the petitioner that respondent No.2 has not considered the application filed by the petitioner as to the limitation in raising the dispute before the Competent Authority and therefore sought for interference of this Court. It is also argued that, unless there is any finding with regard to the delay by the Competent Authority, as to raising the dispute as per Section 70 of the Karnataka Co-operative Societies Act, 1959, the respondent No. 2 has no jurisdiction to continue the proceedings.

5. *Per contra*, learned AGA also submitted that this court is having a limited jurisdiction under Article 227 of the Constitution of India to interfere with the pending dispute before the quasi-judicial authority and further



contended that there is no infirmity in the impugned order at Annexure-H.

6. Having taken note of the submission made by the learned counsel appearing for the parties and a perusal of the writ papers would indicate that an enquiry has been initiated against the petitioner herein as per the dispute filed before the Competent Authority. Though the counsel appearing for the petitioner has argued with respect to the delay in raising the dispute by the respondent No.1- Society, as per the averments made in the application filed under Order VII Rule 11 of CPC, the said aspect is a mixed question of facts and law and same has to be considered only after the conclusion of the enquiry.

7. In that view of the matter, I am of the considered opinion that the said submission cannot be accepted at this stage and ends of justice would be met if the respondent No. 2 is directed to complete the entire proceedings within a period of 6 months from the date of receipt of certified copy of this order and also the



respondent no. 2 shall consider the plea raised by the petitioner as to delay in raising the dispute under Section 70 of the Act in the said proceedings.

8. It is also to be noted that the respondent No. 2 shall not be influenced by the impugned order dated 16.05.2025 (Annexure-H) which is passed therein has to reject the application under Order VII Rule 11 of C.P.C.

9. Accordingly, the petition stands disposed of.

Sd/-
(E.S.INDIRESH)
JUDGE

HR
List No.: 2 Sl No.: 10