



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF JUNE, 2026

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO. 15929 OF 2026 (GM-CPC)

BETWEEN:

CANARA BANK

A BODY CORPORATE CONSTITUTED UNDER THE
BANKING COMPANIES (ACQUISITION AND
TRANSFER OF UNDERTAKINGS) ACT OF 1970,
HAVING ITS HEAD OFFICE AT NO.112,
J.C.ROAD, BENGALURU - 560 002.
HAVING BRANCH AT ASSET RECOVERY
MANAGEMENT BRANCH II, 2ND FLOOR,
CIRCLE OFFICE, SPENCER TOWERS,
86, MG ROAD, BENGALURU - 560 001.

...PETITIONER

(BY SRI. ROHITH KASHYAP M.S., ADVOCATE FOR
SRI. SHASHIDHARA M.R., ADVOCATE)

AND:

1. SMT A AMBIKA
D/O. ANANTHA @ ANANTHAPPA,
W/O. ANIL KUMAR R,
AGED ABOUT 38 YEARS,
R/AT NO. 301, 8TH MAIN,
33RD MAIN, SARAKKI GARDEN,
JP NAGAR 6TH PHASE,
BENGALURU - 560 078.

...RESPONDENT



THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO A. ISSUE A WRIT IN THE NATURE OF MANDAMUS OR ANY OTHER APPROPRIATE WRIT, ORDER OR DIRECTION DIRECTING THE COURT OF THE PRL. SENIOR CIVIL JUDGE, BENGALURU RURAL AT BENGALURU, IN O.S. NO. 942/2023, TO PROCEED WITH THE SUIT STRICTLY IN ACCORDANCE WITH THE PROVISIONS OF THE CODE OF CIVIL PROCEDURE, 1908

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

CORAM: HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

ORAL ORDER

The present writ petition is filed seeking writ of mandamus directing the Principal Senior Civil Judge, Bengalulru Rural, Bengaluru in OS No.942/2023, to proceed with the suit strictly in accordance with the provisions of the Code of Civil Procedure, 1908, and to consider the conduct of the plaintiff and to pass appropriate orders in the matter.

2. This Court, by order dated 17.06.2026, after recording the contentions urged on behalf of the petitioner,



directed the Registrar (Judicial) to call for a report from the Trial Court.

3. The report is placed before the Court. It is stated in the said report that, the Trial Court has pronounced the orders on the applications on 07.02.2026 and thereafter, the matter was posted to 06.03.2026 for the plaintiff to carry out the amendment and furnish the amended plaint.

4. On 06.03.2026, defendant No.7 appeared before the Court. To ensure substantial justice, the matter was adjourned to 04.06.2026. On 04.06.2026, learned counsel appearing for defendant No.7 filed a memo seeking dismissal of the suit for non-compliance with the amendment order. However, to provide the plaintiff with a final, fair opportunity, the Trial Court extended the time for carrying out the amendment to 21.07.2026, as a final chance.

5. The report further states that under Order VI Rule 18 of the Code of Civil Procedure, where a party fails to amend the pleadings within the permitted time frame or within the statutory period of 14 days window, the immediate legal consequence is forfeiture of the right to amend and not



dismissal of the suit itself. The Trial Court extended the time in the interest of justice and to prevent multiplicity of proceedings, rather than out of leniency towards the plaintiff. Since the suit cannot be legally dismissed. Merely for failure to amend, the memo filed by learned counsel for defendant No.7 was properly and lawfully declined.

6. Having heard the learned counsel for the petitioner, perused the material on record.

7. Even as per the said report, the matter was posted on 06.03.2026 for carrying out the amendment. The learned Trial Judge in the report submits that the amendment ought to have been carried out within 14 days and that the Trial Court granted him a reasonable time. Despite the same, the matter, which was posted on 06.03.2026 for carrying out the amendment, was adjourned till 21.07.2026 for the very same purpose.

8. In the opinion of this Court, such indulgence/lenience is not required. If the party fails to proceed with the order of the Court within a reasonable time, it is for the Court to take appropriate steps.



9. Considering that the impleading party is a secured creditor and having regard to the nature of the proceedings, the Trial Court shall adhere to the timelines prescribed under the Code of Civil Procedure and proceed with the matter.

10. In that view of the matter, this Court is passing the following:

ORDER

- i. Accordingly, the writ petition is ***disposed of***, directing the Trial Court to proceed with the matters in accordance with law and without granting unnecessary adjournments.
- ii. This Court is not issuing notice to the respondent as no adverse orders are passed against him and disposal of case is in the interest of both the parties.
- iii. Pending IAs., if any, shall stand closed.

SD/-
(LALITHA KANNEGANTI)
JUDGE

SMC
List No.: 1 Sl No.: 32