



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 7TH DAY OF JULY, 2026

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO.20471 OF 2026 (GM-CPC)

BETWEEN:

SRI N. SAMPATH KUMAR
S/O. LATE T. NANJUNDAIAH
AGED ABOUT 75 YEARS
RESIDING AT NO.671/143, 2ND MAIN ROAD
4TH BLOCK, RAJAJINAGAR
BENGALURU-560 010

...PETITIONER

(BY SRI MOHAN S., ADVOCATE)

AND:

1. SRI G. SHARATH REDDY
S/O. LATE G. KRISHNA MOHAN REDDY
AGED ABOUT 70 YEARS
RESIDING AT NO.13, MIRAYA GRANT
VITTAL MALYA ROAD
BENGALURU-560 001

2. SRI P.S. PUNEETH
S/O. SRI P.V. SHANKAR
AGED ABOUT 34 YEARS
RESIDING AT NO.225/22
3RD FLOOR, 2ND MAIN 2ND BLOCK
BYRAPPA BLOCK, THYAGARAJA NAGAR
BENGALURU-560 028



3. DR. VIJAYA KUMAR K.
S/O. SRI KRISHNA
AGED ABOUT 34 YEARS
RESIDING AT NO.760, 3RD BLOCK
3RD STAGE, BASAVESWARANAGAR
BENGALURU-560 079
4. SMT. ROOPA P. VIKRAM
W/O. SRI VIKRAM P. KRISHNA
AGED ABOUT 42 YEARS
RESIDING AT NO.37, MIG 1ST STAGE
KHB COLONY MAGADI MAIN ROAD
BASAVESWARANAGAR
BENGALURU-560 079
5. SRI VIKRAM P. KRISHNA
S/O. POBBATHI SURYANARAYANA SETTY
AGED ABOUT 44 YEARS
RESIDING AT NO.37, MIG 1ST STAGE
KHB COLONY, MAGADI MAIN ROAD
BASAVESWARANAGAR
BENGALURU-560 079
6. SRI KRISHNA
S/O. LATE HANUMAI AH R.
AGED ABOUT 56 YEARS
RESIDING AT NO.760 3RD BLOCK
3RD STAGE, BASAVESWARANAGAR
BENGALURU-560 079
7. SRI H. ANNAPPA SHETTY
S/O. LATE MANJIAH SHETTY
AGED ABOUT 70 YEARS
RESIDING AT NO.1058, 7TH CROSS
1ST BLOCK ADARSHA LAYOUT
3RD STAGE, BASAVESHWARANAGAR
BENGALURU-560 079



8. SRI K.N. NARASIMHARAJU
S/O. K.N. NARASIMHAMOORTHY
AGED ABOUT 54 YEARS
RESIDING AT DOOR NO.8, 1ST CROSS
RANASINGHPETE PUTTARANGA GALLI
BENGALURU-560 053
9. SRI CHOKKA REDDY
S/O. BACHA REDDY
AGED ABOUT 46 YEARS
RESIDING AT NO.51
SABARINAGARA MAIN ROAD
BYATARAYANAPURA
BENGALURU-560 097
10. SMT. MONICA K. N.
W/O. NIKHIL PRADYRNAN PATIL
AGED ABOUT 34 YEARS
RESIDING AT 41/B, 3RD STAGE
1ST MAIN ROAD, VINAYAKA LAYOUT
VIJAYANAGAR
BENGALURU-560 040.

...RESPONDENTS

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE IMPUGNED ORDER DATED 25-06-2026 PASSED BY THE I ADDL. SENIOR CIVIL JUDGE AND JMFC, NELAMANGALA, IN O.S. NO.W168/2020, PRODUCED I.A. U/O. XI RULE 14 R/W SEC.151 AT ANNEXURE-J OF CPC AND ETC.

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

CORAM: HON'BLE SMT. JUSTICE LALITHA KANNEGANTI



ORAL ORDER

Aggrieved by the order dated 25.06.2026 passed in I.A.No.18 in O.S No.168/2020 by the Senior Civil Judge and JMFC, Nelamangala, the defendant is before this Court.

2. Respondent herein has filed a suit for specific performance based on the agreement of sale dated 13.07.2017. In the plaint, it is stated that, in continuation of an earlier unregistered agreement of sale dated 28.04.2011, a registered agreement of sale dated 13.07.2017 was executed. The defendant has denied the execution of both the agreements. Thereafter, based on the pleadings of the parties, issues were framed, and the issue is whether the plaintiff approved the sale agreement dated 13.07.2017. There is no issue regarding the agreement dated 28.04.2011. Then the present IA was filed seeking a direction to the plaintiff to produce the original unregistered sale agreement dated 28.04.2011, which is alleged to have been executed by the defendant No.1 in favour of the plaintiff. That came to be dismissed by order impugned.



HC-KAR

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2. The trial court has observed that defendant No.1 has categorically denied the execution of an unregistered agreement of sale both in the written statement as well as in his oral evidence. Having taken such a specific defence, the defendant cannot now seek production of the very same document, whose execution he has consistently disputed with the object of compelling the plaintiff to produce it at the stage of final argument. Such inconsistent stands do not advance the case of the defendant for exercise of the inherent powers of the Court. Moreover, if the application is allowed at this stage, the inevitable consequence would be reopening of the evidence, consideration regarding admissibility of the document, payment of stamp duty and penalty, if any, and affording further opportunity to both parties. Such a course would unnecessarily delay the disposal of the suit which has already reached the stage of final arguments. In the absence of any compelling necessity or exceptional circumstances, the Court is not inclined to adopt such a course and accordingly the trial court dismissed the same.



3. Learned counsel appearing on behalf of the petitioner/defendant submits that the petitioner/defendant has denied both the unregistered agreement of the year 2011 and the registered agreement of 2017. It is submitted that to prove the conduct of the plaintiff, the agreement dated 2011 is very much essential and the trial Court has failed to consider this aspect and dismissed the application. It is submitted that the plaintiff has taken a consistent stand with regard to the agreements. The same ought to have been produced before the Court. The fact that it is filed at a belated stage, cannot be a ground for the trial Court to reject the application.

4. Having heard the learned counsel appearing on behalf of the petitioner, perused the material on record. The suit is for specific performance of the year 2020. It is an undisputed fact that the evidence of the parties concluded, and the matter was posted for argument. At that stage, the present application came to be filed. The issues were framed long back and there is no issue pertaining to the agreement of sale of the year 2011. Based on the pleadings, the trial Court had framed the issues, evidence was led, and the matter was posted for



final arguments. At this stage, the petitioner filed this application seeking a direction to the plaintiff to produce the said document. When it is not the document on which the specific performance of an agreement is sought, and even if the document is produced, it will not make any difference, and the evidence has already been led. The trial Court has rightly considered all these aspects and rightly dismissed the I.A and this Court finds no reason to interfere. In that view of the matter, this Court is passing the following:

ORDER

- i. Accordingly, the writ petition is ***dismissed***.
- ii. All pending I.As., in the writ petition shall stand closed.

**SD/-
(LALITHA KANNEGANTI)
JUDGE**

PKN
List No.: 1 Sl No.: 34