



CNR: KAHC010464872026

NC: 2026:KHC:48894
WP No. 21162 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 9TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE K. V. ARAVIND

WRIT PETITION NO. 21162 OF 2026 (GM-CPC)

BETWEEN:

1. SRI. SRINAAG B.S.,
S/O LATE SRI. SOMSHEKAR,
AGED ABOUT 35 YEARS,
NO.799, 1ST FLOOR, 7TH A CROSS,
GRUHALAKSHMI LAYOUT,
NEAR NELAGADARANAHALI,
NAGASANDRA POST,
BENGALURU - 560 073.

...PETITIONER

(BY SRI REVANTH P.N., ADVOCATE FOR
SMT. DEEPA J., ADVOCATE)

AND:

1. SRI. PRAKASH N. JOSHI,
S/O LATE SRI. N.K. JOSHI,
AGED ABOUT 52 YEARS,
OMKARA, NO.2, FIRST FLOOR,
10TH CROSS, 6TH MAIN,
4TH BLOCK, THYAGARAJANAGAR,
BENGALURU - 560 028.

...RESPONDENT

(BY SRI RAKESH B BHATT, ADVOCATE)



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THIS WP IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASHING THE ORDER DATED 18.06.2026 PASSED ON I.A. NO.VIII IN O.S. NO.4031/2023 BY THE XXXI ADDL. CITY CIVIL AND SESSIONS JUDGE, BENGALURU (ANNEXURE-A) ETC.

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

CORAM: HON'BLE MR. JUSTICE K. V. ARAVIND

ORAL ORDER

Heard Sri Revanth P.N., learned counsel appearing for Smt. Deepa J., learned counsel for the petitioner, and Sri Rakesh B. Bhatt, learned counsel for the respondent.

2. This petition is filed challenging the impugned order passed on I.A. No. VIII in O.S. No. 4031/2023, whereby the trial Court allowed the application filed by the plaintiff and struck off the defence of the defendant.

3. Learned counsel for the petitioner submits that, by order dated 21.08.2024, the trial Court directed the defendant to deposit rent at the rate of Rs.21,000/- per month. However, it is submitted that more than 50% of the amount directed by the trial Court has already been deposited.



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3.1 It is further submitted that, subject to compliance with the other conditions, the petitioner may be permitted to contest the suit and put forth his defence.

4. *Per contra*, learned counsel appearing for the respondent, who has entered caveat, submits that the order dated 21.08.2024 remains uncomplied with as on date and that, despite sufficient opportunities having been granted, the defendant has failed to comply with the order of the trial Court. In that view of the matter, the trial Court is justified in striking off the defence of the defendant.

5. Considered the submissions of the learned counsel for the parties.

6. It is evident from the impugned order that, by order dated 21.08.2024, the trial Court directed the defendant to deposit rent at the rate of Rs.21,000/- per month. Non-compliance with the said order was noticed on several occasions, and multiple opportunities were granted to the defendant to comply with the same. It is further evident that the trial Court, on more than one occasion, directed the



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defendant to comply with the order dated 21.08.2024. However, no justifiable ground or sufficient cause is forthcoming to explain the defendant's failure to comply with the said order.

7. In that view of the matter, the trial Court was justified in passing the impugned order, whereby the defence of the defendant was struck off for failure to comply with the order dated 21.08.2024. No ground is made out to entertain this petition.

Accordingly, the writ petition is ***dismissed***.

Sd/-
(K. V. ARAVIND)
JUDGE

DDU
List No.: 1 SI No.: 2