



CNR: KAHC010505502026

NC: 2026:KHC:42753
WP No. 23135 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 12TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO. 23135 OF 2026 (GM-CPC)

BETWEEN:

SRI GANGADHARA D R
AGED ABOUT 43 YEARS,
S/O. RAMALINGIAH
R/AT NO. 1715,
D GROUP LAYOUT,
SRIGANDADA KAVALU,
VISHWA NEEDAM POST,
BENGALURU-560 091

...PETITIONER

(BY SRI. AVINASH P.,ADVOCATE)

AND:

1. SRI. DR MAHENDRA
AGED ABOUT 47 YEARS,
S/O. RAMALINGIAH,
RESIDING AT
DASAVARA VILLAGE,
KANVA POST, MAKALLI ROAD,
MALUR HOBLI,
CHANNAPATNA TALUK,
RAMANAGAR DISTRICT
2. SMT. PADMAVATHI S P
AGED ABOUT 79 YEARS

Digitally signed
by SUVARNA T
Location:
HIGH COURT
OF
KARNATAKA



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W/O SK PRASANNA KUMAR,
R/AT NO.2647, 37TH 'A' CROSS,
28TH MAIN ROAD, 9TH BLOCK,
JAYANAGAR, BENGALURU-560069.

3. SRI. S.K. KRISHNAPRASAD
AGED 52 YEARS,
S/O S K PRASANNA KUMAR,
R/AT NO.2647, 37TH 'A' CROSS,
28TH MAIN ROAD, 9TH BLOCK,
JAYANAGAR, BENGALURU-560069.

4. THE KARNATAKA STATE
D GROUP EMPLOYEES CENTRAL
ASSOCIATION BANGALORE
DULY REP BY ITS
PRESIDENT MR. B M NATARAJ,
GENERAL SECRETARY
SRI. GOVINDA RAJ,
M S BUILDING,
AMBEDKAR VEEDHI,
BENGALURU - 560 001.

5. SRI. K. PUTTARAJU
AGED 76 YEARS,
S/O. LATE KARAGAPPA,
RESIDING AT NO.40,
HOSABEEDHI, YELAHANKA,
BENGALURU - 560 064.

...RESPONDENTS

(BY SRI. B.R. DEEPAK, ADVOCATE FOR C/R2)

THIS WP IS FILED UNDER ARTICLE 227 OF THE
CONSTITUTION OF INDIA PRAYING TO QUASHING THE
ORDER DATED 02.07.2026, VIDE ANNEXURE A, PASSED
BY THE HON'BLE XIX ADDITIONAL CITY CIVIL AND
SESSION JUDGE AT BENGALURU, IN O.S. NO. 6856/2021,
AS IT IS ILLEGAL, ARBITRARY AND UNSUSTAINABLE IN
THE LAW.



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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 02.07.2026 passed in I.A.No.10 in O.S.No.6856/2021 by the XIX Additional City Civil and Sessions Judge, Bengaluru City, the petitioner/impleading applicant is before this Court.

2. The respondent No.1, who is the plaintiff, filed O.S.No.6856/2021 seeking injunction and other consequential reliefs. The defendant Nos.1 and 2 entered appearance and filed their written statement, along with a counterclaim seeking declaration of title and other consequential reliefs. The petitioner herein filed I.A.No.10 under Order I Rule 10(2), read with Section 151 of the CPC, to implead him as plaintiff No.2 in the suit. It is the case of the impleading applicant that the plaintiff executed a Gift Deed dated 23.08.2023 in his favor; accordingly, he has filed this application to implead him as plaintiff No. 2. That application was rejected by the trial Court.



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3. The trial court rejected the application mainly on the ground that, although the Gift Deed was executed in the year 2023, it was not brought to the notice of the trial Court, till this application was filed, amounting to suppression of material facts, and such an application cannot be allowed.

4. Learned counsel appearing for the petitioner/impleading applicant submits that if this application is allowed, no prejudice would be caused to the defendants. It is submitted that there is no intention on the part of the petitioner to protract the proceedings. In fact, the petitioner would continue from where the proceedings stand today and would not seek unnecessary adjournments. It is submitted that the trial Court, without considering the Gift Deed, has passed the impugned order.

5. Learned counsel appearing for respondent No.2/defendant No.1 submits that defendant No.1 is about 82 years old and there are other order in the writ petition to dispose of the matter expeditiously. It is submitted that the trial Court rightly considered the suppression of facts and the fact that allowing this application and starting the proceedings afresh



would lead to considerable delay. All these aspects were considered by the trial Court and there are no grounds to interfere with the order passed by the trial Court.

6. Having heard the learned counsel on either side, perused the entire material on record. The suit is filed for injunction and other consequential reliefs. The defendants have filed a counterclaim and sought for declaration. The case is now posted for the evidence of PW.1, and if the petitioner is impleaded as plaintiff No.2, the evidence of plaintiff No.2 must commence. The trial Court has observed suppression of facts and other matters. No doubt, there is suppression of facts by the plaintiff No.1. At the same time, this Court is conscious of the substantial interest of the petitioner in the suit schedule property, as the property is gifted in his favor. In those circumstances, balancing the interests of the parties, this Court is passing the following order:

ORDER

- i. The order dated 02.07.2026 passed in I.A.No.10 in O.S.No.6856/2021 by the XIX Additional City



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Civil and Sessions Judge, Bengaluru City, is **set aside**.

- ii. Consequently, I.A.No.10 is **allowed**.
- iii. The petitioner shall commence the case from the stage of his evidence as PW.2 and shall not file any other applications to reopen the case and the issues were already addressed and considered.
- iv. Accordingly, the writ petition is **allowed**.
- v. All I.As. in this petition shall stand closed.

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

MEG
List No.: 1 SI No.: 52