



CNR: KAHC010578342025

NC: 2026:KHC:44076
WP No. 26832 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO. 26832 OF 2025 (GM-CPC)

BETWEEN:

1. SRI. SRIRANGACHARYA
S/O. LATE KAMBADA NARASIMAIAH
ABOUT 63 YEARS,
R/AT NO 37, BANDE HOSUR
KANNUR POST,
BANGALORE 560077
2. SRI. SURESH S MATTI,
R/AT VEERAPURA ONI,
NEAR BASAVA MANTAPA,
HUBLI DHARWAD DISTRICT
3. SRI. S.V.BASAVARAJAPPA,
R/AT AKSHAYA COLONY,
2ND CROSS, VIDYANAGAR,
HUBLI DHARWAD DISTRICT
4. SRI.R.M. KULAKARNI,
C/O L.S.JOSHI,
R/AT NEAR RAGHAVENDRA MATT,
2ND CROSS, MALMATTI,
DHARWAD, DHARWAD DISTRICT
5. SRI.N.S.KRISHNAMURTHY
S/O SURYA NARAYANA,

Digitally
signed by
SUVARNA T
Location:
HIGH
COURT OF
KARNATAKA



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AGED ABOUT 69 YEARS,
R/AT VASMIKA NILAYA,
NO 49. PEENYA 2ND STAGE POST,
ANDRAHALLI, 1ST MAIN ROAD,
SANESHWARA NAGAR,
THIGALARAPALYA,
BENGALORE 560058

6. SRI.R.MADHUSUDHAN,
S.O LATE RAMACHANDRA
R/AT BANASHANKARI NILAYA,
NO. 666/53, OPP KISHAN PAINTS,
60 FEET ROAD, NITTAWALLI,
DAVANAGERE 577004

...PETITIONERS

(BY SRI. JAGAN MOHAN M T.,ADVOCATE)

AND:

LOKA SHIKSHANA TRUST
NO. 2. RESIDENCY ROAD,
BENGALORE 560025
BY ITS TRUSTEES

1. SRI VENKATESH U.B
S/O SRI VASUDEVA RAO
AGED ABOUT 69 YEARS
2. SRI. ASHOK HARANAHALLI
S/O SRI LATE HARANAHALLI RAMASWAMY
AGED ABOUT 66 YEARS
3. SRI. KESHAVA KRISHNARAO DESAI
S/O SRI KRISHNA BINDURAO DESAI
AGED ABOUT 63 YEARS



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4. DR. GURURAJ KARAJAGI,
S/O VASANTHA RAO KARAJAGI
AGED ABOUT 65 YEARS
5. SRI.D.R.PATIL
S/O RANGANAGODW PATIL
AGED ABOUT 77 YEARS

TRUSTIES ARE REPRESENTED BY
THEIR GENERAL POWER OF
ATTORNEY HOLDER AND SECRETARY.

SRI HARI CHANNAKESHAVA
S/O LATE CHANNAKESHAVA REDDY.K
AGED ABOUT 47 YEARS
C/O LOKA SHIKSHANA TRUST
NO.2, RESIDENCY ROAD,
SHANTHALA NAGAR, ASHOK NAGAR,
BENGALORE - 560025.
KARNATAKA.

...RESPONDENTS

(BY SRI. G. K. BHAVANA.,ADVOCATE)

THIS WP IS FILED UNDER ARTICLE 227 OF THE
CONSTITUTION OF INDIA PRAYING TO-SETTING ASIDE
THE IMPUGNED ORDER DATED 27.07.2025 PASSED BY
THE HON'BLE COURT OF PRINCIPAL CITY CIVIL AND
SESSIONS COURT AT BANGALORE IN CIVIL
MISCELLANUOUS 1113/2024 ON I.A NO. 1 FILED BY THE
PETITIONERS UNDER SECTION 151 OF CPC VIDE
ANNEXURE-F.

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

CORAM: HON'BLE SMT. JUSTICE LALITHA KANNEGANTI



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ORAL ORDER

The present writ petition is filed seeking the following prayer:

"PRAYER

WHEREFORE, the petitioners pray for following relief:

- i) Issue a writ of certiorari or any other appropriate writ, order or direction, setting aside the impugned order dated 27/07/2025 passed by the Hon'ble Court of Principal City Civil & Sessions Court at Bangalore in Civil Miscellaneous: 1113/2024 on I.A. No.1 filed by the petitioners under section 151 of CPC vide ANNEXURE: F.***
- ii) Grant such other relief in the facts and circumstances of the case which deem fit by this Hon'ble High Court including cost of this Writ Petition in the interest of justice.***

2. Learned counsel appearing for the petitioners submits that the miscellaneous petition is posted for judgment and he has argued on the merits of the matter. He relied on the Division Bench judgment of this Court in ***Rabiya Bi Kassim M. Vs. The Country Wide Consumer Financial Service Ltd.¹***, and he relied on paragraph No. 9 which reads as follows:

"9. On consideration, we are of the opinion that once the matter has been finally heard and posted for judgment, as held by the Supreme Court in Arjun Singh's case (supra) nothing is required to be done by the Court except to pronounce the judgment, and

¹ ILR 2004 Kar 2215



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therefore the decision in Laxminarayan Enterprises case is not helpful. Admittedly, Clause (4) of Order 18 Rule 2, of CPC has been deleted and therefore the respondent-plaintiff cannot take advantage of Laxmin Arayan's case in the facts of the given case. Even if we assume it for the sake of argument without accepting, in view of the amendment in CPC, as we find, the law relating to procedure in suits and civil proceedings are governed by CPC. The CPC has been amended from time to time. Recently also, in order to cut short the delays at various levels in disposal of civil cases, CPC was amended by the Amendment Act of 1999 with effect from 1.7.2002. In the facts of the given case, sufficient opportunity was given to the plaintiff to complete his evidence, but he has not availed the opportunity at appropriate time and thereafter his evidence was closed. The case was fixed for defendant's evidence and ultimately the case was heard and reserved for judgment on 20.6.2001. In our view, if the matter is reserved for pronouncement of judgment, such an application is not maintainable as otherwise it will defeat the very object of amendment in speedy disposal of the cases."

3. Relying on this, it is submitted that once the matter is posted for judgment, the question of passing further orders will not arise.

4. Having heard the learned counsels on either side, perused the entire material on record. In light of the judgment of the Division Bench of this Court in the case of ***Rabiya Bi Kassim M*** referred supra, as the matter is already posted for judgment, at this stage, the question of passing any orders in



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this case would not arise. Hence, this Court is passing the following order:

ORDER

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

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

MEG
List No.: 1 SI No.: 112