



NC: 2026:KHC:33392
WP No. 34558 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 3RD DAY OF JULY, 2026

BEFORE

HON'BLE MS. JUSTICE TARA VITASTA GANJU

WRIT PETITION NO.34558 OF 2025 (GM-CPC)

BETWEEN:

1. SMT. D SAROJA
AGED ABOUT 80 YEARS,
WIFE OF LATE. YELLAPPA REDDY
RESIDING AT NO.98, D-S KENDRIYA VIHAR,
B.B.ROAD, YELAHANKA,
BENGALURU – 560 064.
2. SMT. S. LAKSHMI
AGED ABOUT 39 YEARS
DAUGHTER OF SRI. SIDDAPPA
RESIDING AT NO.6,
NAGA SAI PRAGATHI LAYOUT,
H.A. FARM POST, BHUVANESHWARI NAGAR,
BENGALURU – 560 035

...PETITIONERS

(BY SRI. VASANTHA LAKSHMI H V., ADVOCATE)

AND:

1. MR. FAYAZ
AGED ABOUT 59 YEARS
SON OF IMAM SAB
RESIDING AT VIJAYAPURA TOWN
DEVANAHALLI TALUK – 562 110
BENGALURU RURAL DISTRICT
2. MR. YASEEN PASHA
AGED ABOUT 39 YEARS
SON OF LATE BABU SABI

Digitally signed by
SUMATHY KANNAN
Location: HIGH
COURT OF
KARNATAKA



3. MR. MUBARAK
AGED ABOUT 36 YEARS
SON OF LATE BABU SABI
4. MR. LIYAKATH
AGED ABOUT 34 YEARS,
SON OF LATE. BABU SABI
5. MRS. ENAKOUSAR
AGED ABOUT 31 YEARS
DAUGHTER OF LATE BABU SABI

ALL ARE RESIDING AT ISLAM PURA NEAR
SADHUMAT, CHIKKABALLAPUR TOWN – 562 101

6. MRS. RESHMA
AGED ABOUT 42 YEARS,
DAUGHTER OF LATE BABU SABI
RESIDING AT JAI BHEEM NAGAR,
CHIKKABALLAPUR TOWN – 562 101
7. MR. K. PRAKASH RAJU
AGED ABOUT 54 YEARS
SON OF KRISHNA RAJU
RESIDING AT NO.341,
THIMMAKKA LAYOUT, M.G. ROAD,
CHIKKABALLAPURA TOWN – 562 101

...RESPONDENTS

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE APPROPRIATE DIRECTIONS TO THE PETITIONERS AND CONSEQUENTLY TO THE COURT OF THE HON'BLE PRINCIPAL CIVIL JUDGE, AT CHIKKABALLPUR TO DISPOSE OF THE SUIT IN O.S NO.493/2009 WITHIN A TIME FRAME TO BE STIPULATED BY THIS HON'BLE COURT IN THE FACTS AND CIRCUMSTANCES OF THE CASE, PENDING DISPOSAL OF THE ABOVE WRIT PETITION, IN THE INTEREST OF JUSTICE AND EQUITY.

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



CORAM: HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORAL ORDER

1. The prayer in the present petition is limited to issue appropriate directions to the Court of the learned Principal Civil Judge, at Chikkaballapur to dispose of the suit within a time frame, in the following terms:

"Wherefore, the petitioners humbly prays that this Hon'ble Court be pleased to issue appropriate directions to the petitioners and consequently to the Court of the Hon'ble Principal Civil Judge, at Chikkaballapur to dispose of the suit in O.S.No.493/2009 within a time frame to be stipulated by this Hon'ble Court in the facts and circumstances of the case, pending disposal of the above writ petition, in the interest of justice and equity."

2. The learned counsel for the petitioners submits that the petitioners are the purchasers of the suit schedule property and have been arrayed as defendant Nos.8 and 9 in a suit for specific performance being O.S. No.493/2009 [filed in the year 2009]. Learned counsel further submits that the suit was filed by the first respondent seeking directions that the agreement to sell dated 10.03.2007 be performed and the defendants execute a registered sale deed in his favour.



3. Learned counsel for the petitioners further submits that this application has not been heard or decided despite the pendency for over a year. It is further submitted that the matter has not proceeded any further. Thus, this petition.

4. It is the case of the petitioners, that the defendants No.1 to 5 are not the owners of the suit schedule property, but the petitioners are the owners of the property and by virtue of an order dated 21.06.2010 passed by the Land Tribunal.

5. The record reflects that the suit has been pending since the year 2009, the written statements were filed, pleadings were completed by the parties, issues were framed by the learned Trial Court and thereafter the evidence was commenced and the matter was fixed for cross-examination of the defendant [PW1] on 26.10.2023. Subsequently, during the pendency of the proceedings, the counsel for plaintiff filed an application under Order VI



Rule 17 read with Section 151 of the CPC, which was taken up for hearing on 16.04.2025 being I.A.No.33.

6. Given the limited issue involved in the matter and the fact that the suit has been pending for the last seventeen years, this Court deems it apposite to dispose of this matter, requesting the learned Trial Court to deal with the matter with expedition. The learned Trial Court shall also not grant any unnecessary adjournments to either of the parties.

7. This petition stands ***disposed of*** in the foregoing terms. All pending application(s) shall stand closed.

Sd/-
(TARA VITASTA GANJU)
JUDGE

BMV*
List No.: 1 Sl No.: 24