



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE R DEVDAS

CIVIL REVISION PETITION NO. 30 OF 2026

BETWEEN:

SRI D S VENKATARAMANA BABU
S/O SRI. DESHKULKARNIA
AGED ABOUT 40 YEARS
R/A FLAT NO. A - 92
BHARAT RESIDENCY GROUND FLOOR,
ANAND NAGAR MARATHAHALLI
BENGALURU - 560 037.

...PETITIONER

(BY SRI. P B RAJU., ADVOCATE)

AND:

SRI M M V SRIDHAR
S/O SRI. BALAMUNEPPA
AGED ABOUT 56 YEARS
R/A FLAT NO. A - 92
BHARAT RESIDENCY GROUND FLOOR,
ANAND NAGAR MARATHAHALLI
BENGALURU - 560 037.

...RESPONDENT

(BY SRI. SATISH S., ADVOCATE)

THIS CRP IS FILED UNDER SECTION 18 OF THE
KARNATAKA SMALL CAUSES COURTS ACT, 1964, PRAYING TO
CALL FOR THE RECORDS IN MISC.NO.78/2025 ON THE FILE OF
THE HON'BLE XXIII ADDITIONAL SMALL CAUSES JUDGE

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by JUANITA
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Location: HIGH
COURT OF
KARNATAKA



BENGALURU (SCCH-25) AND STAY THE OPERATION OF JUDGMENT AND DECREE DATED 09.01.2025 PASSED BY THE AND MOTOR ACCIDENT CLAIMS TRIBUNAL AT IN S.C.NO. 716/2024, IT WOULD BE IN THE INTEREST OF JUSTICE AND EQUITY.

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

CORAM: HON'BLE MR. JUSTICE R DEVDAS

ORAL ORDER

This Civil Revision Petition is filed by the petitioner/ original dependent in a suit in S.C.No.716/2024, being aggrieved of the dismissal of the Miscellaneous Petition No.78/2025 filed by the original defendant.

2. For the sake of convenience, the parties shall be referred to in terms of their ranking before the Trial Court.

3. The respondent herein being the plaintiff/landlord has filed a suit in S.C.No.716/2024 on 12.08.2024 for eviction of the defendant-tenant. An *ex parte* order was passed on 09.02.2025 allowing the suit while directing the



defendant to vacate from the suit schedule premises. The defendant filed Miscellaneous Petition No.78/2025 seeking to recall the *ex parte* order passed against the defendant. The said miscellaneous petition being dismissed by order dated 24.11.2025, this Civil Revision Petition has been filed.

4. Having heard the learned Counsel for petitioner and the learned Counsel for respondent and on perusing the petition papers, this Court finds that the suit having been filed on 12.08.2024, the learned Small Causes Court Judge proceeded to place the defendant *ex parte* and passed an order on 09.01.2025 allowing the suit while directing the defendant to vacate the suit schedule premises and hand over vacant possession to the plaintiff/ landlord. Having regard to the said admitted facts that the order passed by the Small Causes Court was an *ex parte* order, in order to meet the ends of justice the Miscellaneous Petition should have been allowed while restoring the suit to be heard and decided on merits.



5. Today, when this Court made the suggestion that the Miscellaneous Petition should be allowed and the original suit should be restored to be heard and disposed of within a time frame, both the learned Counsels have agreed to the suggestion put forth by this Court.

6. Accordingly, the Civil Revision Petition is ***allowed*** while setting aside the order dated 24.11.2025 passed in Miscellaneous Petition No.78/2025. The order dated 09.01.2025 passed in S.C.No.716/2024 on the file of learned XXIII Additional Small Causes Judge, Bengaluru. Consequently, the suit in S.C.No.716/2024 is recalled and the case is restored to its original file.

7. The parties herein are directed to appear before learned XXIII Additional Small Causes Judge, Bengaluru on **02.03.2026**, without waiting for further notice. The learned XXIII Additional Small Causes Judge is requested to enable the defendant to file written statement and thereafter proceed to record the evidence on both the



sides and also endeavour to dispose of the case as expeditiously as possible and at any rate within a period of 3 (three) months from 02.03.2026.

Ordered accordingly.

Sd/-
(R DEVDAS)
JUDGE

DL
CT: JL