NC: 2024:KHC:52819
WP No. 9216 of 2024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 18TH DAY OF DECEMBER, 2024

BEFORE

THE HON'BLE MR JUSTICE R. NATARAJ

WRIT PETITION NO. 9216 OF 2024 (GM-CPC)

BETWEEN:

SRI. G. PRAKASH,
S/O LATE G.M. GOVINDAPPA,
AGED ABOUT 76 YEARS,
NO. 123, KARANJI EXTENSION,
MALUR, KOLAR DIST - 563 130.

...PETITIONER

(BY SRI. B.C. VENKATESH, ADVOCATE)

AND:

1. SMT. VANITHA JAGANNATH,
   D/O LATE A. DEVARAJU,
   W/O JAGANNATH,
   AGED ABOUT 55 YEARS,
   NO. 113, PRETHI DHAMA,
   S. BINGIPURA, HULIMANGALA,
   BENGALURU - 560 105.

2. SRI. D. RAMESH BABU,
   S/O A. DEVARAJU,
   AGED ABOUT 52 YEARS,
   NO. 747, 4TH CROSS, 'C' MAIN,
   BANASAVADI, BENGALURU - 560 043.

3. SMT. HEMAVATHY,
   W/O SRI. D. RAMESH BABU,
   AGED ABOUT 53 YEARS,

4. MISS. RASHMI R. REDDY,
   D/O SRI. D. RAMESH BABU,
   AGED ABOUT 28 YEARS,

Digitally signed by SUMA
Location: HIGH COURT OF KARNATAKA

5. MR. AKASH R. REDDY,
S/O SRI. D. RAMESH BABU,
AGED ABOUT 25 YEARS,

RESPONDENT NO. 3 TO 5 ARE
R/AT NO. 747, 4TH C MAIN,
O.M.B.R LAYOUT,
BANGALORE - 560 033.

6. SRI. G.A. INDRAPPA,
S/O LATE G.M. ANJINAPPA,
AGED ABOUT 46 YEARS,
NO.3, 5TH A CROSS,
BOSCO NAGAR, T.C. PALYA,
K.R. PURAM, BANGALORE - 560 036.

7. SRI. K.G. RANGAPPA,
S/O LATE KOLAR GURAPA,
AGED ABOUT 86 YEARS,
NO. 294, P.C. EXTENSION,
KOLAR - 563 101.

8. SRI. ABHISHEK KUMAR,
S/O SRI. SITARAM PANDEY,
AGED ABOUT 56 YEARS
S.R. COMPLEX, VIBHUTHINAGARA MAIN ROAD,
NEAR GANESH TEMPLE, ANNASANDRAPALYA,
VIMANAPURA, BANGALORE - 560017.

9. SRI. NAVIN KUMAR
S/O SRI. RAMAKANT SINGH,
AGED ABOUT 46 YEARS,
WARD NO. 1, BELSAND,
SITAMARHI, BIHAR - 843 316.

…RESPONDENTS

THIS W.P. IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE TRIAL COURT i.e., 2ND ADDL SENIOR CIVIL JUDGE, BANGALORE RURAL DIST AT BENGALURU TO DISPOSE OF O.S.NO.

1916/2019 FILED BY THE PLAINTIFF WITHIN THE TIME FRAME AS DIRECTED BY THIS HONBLE COURT.

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

CORAM: HON'BLE MR JUSTICE R. NATARAJ

ORAL ORDER

The petitioner has sought for a writ in the nature of mandamus to direct the Trial Court to dispose of O.S.No.1916/2019, which is filed for specific performance of an agreement of sale. It is the case of the plaintiff that the Trial Court is not proceeding with the suit at the required pace. Therefore, he seeks for a direction to the Trial Court to dispose of O.S.No.1916/2009.

2. Learned counsel for the petitioner submits that now the suit is listed for cross-examination of PW.1. Therefore, this Court is of the opinion that the suit is proceeding at a steady pace and the Court has devoted time and attention to the suit. Hence, there is no need to issue the direction to the Trial Court to dispose of O.S.No.1916/2019 expeditiously, more

particularly when older suits are awaiting consideration. Hence, the writ petition is ***dismissed***.

Sd/-
(R. NATARAJ)
JUDGE

PHM
List No.: 1 Sl No.: 78
CT: BHK