HC-KAR

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 8TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR

REVIEW PETITION NO. 66 OF 2026 (-)

BETWEEN:

SMT KATHYAYINI Y. P.
D/O.K.G.YELLAPPA REDDY,
AGED ABOUT 63 YEARS,
RESIDING AT NO.16, PRESTINE MAGNUM,
28TH CROSS, EJIPURA MAIN RD,
KORAMANGALA, BANGALORE – 560 047.
MOBILE NO.9844012323.
EMAIL ID: kathyshetty2019@gmail.com

…PETITIONER

(BY SRI. LAXMIKANTHA K. B., ADVOCATE)

AND:

1. SRI UMEDHA REDDY
   AGED ABOUT 60 YEARS,
   S/O LATE K.G. YELLAPPA REDDY,
   RESIDING AT NO.440,
   DODDA THOGURU VILLAGE,
   ELECTRONIC CITY POST,
   BANGALORE – 560 100.

2. SRI. SIDDARATHA P. S. REDDY,
   AGED 38 YEARS,
   S/O SRI. Y.P. SUDHANVA REDDY,

3. SRI VIKRAM P S REDDY
   AGE ABOUT 36 YEARS
   S/O SRI Y P SUDHANVA REDDY

   BOTH RESPONDENT NO.2 & 3 ARE
   RESIDING AT NO.109, SURYA COMPLEX,
   DODDA ELECTRONIC CITY POST,
   BANGALORE – 560 100.

Digitally signed by CHANDANA B M
Location: High Court of Karnataka

4. SRI. G. ASHOK REDDY
AGED ABOUT 36 YEARS,
S/O LATE GURUVE REDDY,
RESIDING AT NO.59, 3RD MAIN,
3RD CROSS, BAKER'S COLONY,
RING ROAD, BHOGADI,
MYSORE – 570 026.

5. SMT. BHAVANI
W/O SHANTHKUMAR,
AGED ABOUT 57 YEARS,
RESIDING AT NO.4/1,
NEAR A.E.T COLLAGE,
DODDAKENEHALLI,
SARJAPURA ROAD CROSS,
CARMALRAM POST,
BANGALORE – 560 035.

6. SMT. NANDA REDDY @ PRATHIBHA
W/O SOMASHEKAR REDDY,
AGED ABOUT 47 YEARS,
R/AT HOUSE NO.80/1,
KOTHANUR VILLAGE,
VENKATESHWARA LAYOUT,
S.O.S POST, J.P.NAGAR 8TH PHASE,
UTTARAHALLI HOBLI,
BANGALORE SOUTH TALUK – 560 036.

7. SRI. RAMESH REDDY
S/O MUNI REDDY,
AGED ABOUT 45 YEARS,
R/AT NO.12, AECS LAYOUT,
PARAPPANA AGRAHARA SINGASANDRA,
ELECTRONIC CITY POST,
BANGALORE – 560 100.

8. SMT. REETHA
W/O RAMESH REDDY,
AGED ABOUT 42 YEARS,
R/AT BUILDING, 3RD CROSS,
NEAR VEERABHADRA SWAMY TEMPLE
ELECTRONIC CITY PHASE-II,
DODDANAGAMANGALA,
BANGALORE – 100

9. SRI. NARAYAN SWAMY
S/O MUNI BADDY
AGE ABOUT 42 YEARS
R/A 572, A E C S LAYOUT
SINGASANDRA,MADIWALA POST
BANGALORE – 68

10. SMT. MAMATHA
D/O MUNI REDDY,
AGED ABOUT 35 YEARS.
R/AT NO.592, NEAR HDFC BANK,
BELLANDUR GATE,
SARJAPURA MAIN ROAD,
AGRAHARA POST,
BANGALORE – 560 034.

11. KARNATAKA BANK LTD.,
1ST PHASE, NO.152/5, E.K PLAZA,
NEELADRI LAYOUT, ELECTRONIC CITY BRANCH,
OPP. FERNHILLS APARTMENT,
BANGALORE – 560 100.
REPRESENTED BY ITS
BRANCH MANAGER – 560 034.

12. STATE BANK OF INDIA
NO.50, 18TH MAIN, 20TH CROSS,
3RD SECTOR, HSR LAYOUT,
BANGALORE – 560 102.
REPRESENTED BY ITS
BRANCH MANAGER – 560 034

13. STATE BANK OF INDIA
RAMAKRISHNANAGAR BRANCH,
RAMAKRISHNANAGAR,
MYSORE – 570 022,
REPRESENTED BY ITS
BRANCH MANAGER – 560 034.

14. SMT. JAYASHREE
AGED ABOUT 70 YEARS,
D/O LATE K.G.YELLAPPA REDDY,
W/O LATE MUNISWAMY REDDY

K H RESIDING AT NO.2291,
HIG 3RD STAGE, YELAHANKA NEW TOWN,
CLARANCE ROAD, LANGFORD TOWN,
BANGALORE – 560 064.

…RESPONDENTS

(BY SRI. M.D. BASAVANNA, ADVOCATE FOR R2 & R3)

THIS REVIEW PETITION FILED UNDER ORDER 47 RULE 1 OF CPC, PRAYING TO REVIEW THE ORDER DATED 29.01.2026 PASSED IN W.P. NO. 13542/25 C/W WP. NO. 8907/25 IN THE INTEREST OF JUSTICE.

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

CORAM: HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR

ORAL ORDER

This review petition by the writ petitioner in W.P.No.13542/2025, takes exception to the final order dated 29.01.2026 passed by this Court, whereby the said petition along with the connected petition in W.P.No.8907/2025 were disposed of by this Court by issuing various directions including permitting the respondent Nos.2 and 3 – Siddaratha P.S. Reddy and Vikram P.S. Reddy to withdraw Rs.2,00,000/- per month for a period of 6 months from 01.02.2026. The final order passed by this Court in the said petitions is as under:

"W.P.No.8907/2025 is filed by the plaintiff in O.S.No.124/2018 is directed against the interim order dated 07.12.2024 passed by the Principal District and Sessions

Judge, Bengaluru Rural District, Bengaluru, whereby the said appeal filed by respondent Nos.1 to 4 aggrieved by the order dated 16.01.2018 passed by the trial Court was allowed by the First Appellate Court.

W.P.No.13542/2025 is filed by the plaintiff in O.S.No.274/2018 on the file of the III Additional Senior Civil Judge and JMFC, Bengaluru Rural District, Bengaluru seeking direction to respondents to co-operate for disposal of I.A.Nos.I, II, III and VII in accordance with law.

2. Heard learned counsel for the petitioners and learned Senior Counsel for respondents and perused the material on record.

3. A perusal of the material on record will indicate that the petitioner in W.P.No.8907/2025 - plaintiff instituted a suit in O.S.No.124/2018 before the trial Court for partition and separate possession of her alleged share in the suit schedule immovable property and for other reliefs. Along with the suit, the petitioner-plaintiff having filed an application for Temporary Injunction restraining disbursement of the said amount in favour of the defendant, the trial Court passed an order dated 16.01.2018 allowing the application for temporary injunction filed by the petitioner-plaintiff. Aggrieved by the same, respondent Nos.1 to 4 - appellants filed the instant appeal in M.A.No.131/2020, which was allowed by the First Appellate Court by holding as hereunder:

"ORDER

I.A.No.V filed by respondent No.1 under Order XLI Rule 27 CPC is allowed. The documents produced along with said I.A. are taken on record and considered at the time of passing this judgment.

The miscellaneous appeal filed by the appellant under Order XLIII Rule (r) of CPC is allowed by setting aside the order dated 16.01.2018 on I.A.No.I passed in O.S.No.124/2018 on the file of Additional Civil Judge, Bengaluru Rural District, Bengaluru.

I.A.No.I filed by plaintiff under Order XXXIX Rule 1 and 2 CPC in O.S.No.124/2018 is dismissed.

Under the facts and circumstances of the case, parties are directed to bear their own costs.

Send copy of this judgment to trial court along with Trial Court records."

4. Aggrieved by the impugned order passed by the First Appellate Court, petitioner is before this Court by way of the present petition. Though several contentions have been urged by both sides in support of their respective claims, a perusal of the material on record will indicate that there are contentious issues and disputed question of law and fact that arises for consideration in the suit will have to be decided only after full fledged trial. The entire said compensation relating to the branch of Sudhanva Reddy has been deposited in respondent No.5, Karnataka Bank, Electronic City Branch and the said amount is earning a

monthly interest which has also not been disbursed or withdrawn by any of the parties.

5. Heard learned Senior Counsel for respondent No.1 and respondent No.2 who are defendant Nos.1 and 2 submits that defendant Nos.1 and 2 have no avocation or means for livelihood and portion of the interest accruing from the said deposit in relation to the branch of Sudhanva Reddy, may be disbursed in favour of defendant Nos.1 and 2 and with a direction to the trial Court to dispose of four pending suits in O.S.Nos.714/2017, 274/2018, 742/2018 and 30/2021, pending on the file of III Additional Senior Civil Judge, Bengaluru Rural District, Bengaluru, within a stipulated time frame.

6. It is also submitted that the present suit in O.S.No.124/2018 which is currently pending before the I Additional Civil Judge and JMFC, Bengaluru Rural District, Bengaluru, may be withdrawn from the said Court to be consolidated, tried and disposed of along with the four suits pending on the file of III Additional Senior Civil Judge, Bengaluru Rural District, Bengaluru, in accordance with law.

7. By way of a reply, learned counsel for the petitioner submits that the withdrawal of portion of the interest amount by defendant Nos.1 and 2 is to be made subject to the final outcome of the suits shall be without prejudice to the rights and contentions of the parties and the present order should not be treated as a precedent nor shall have any precedential value, for any purpose, whatsoever

and the Trial Court may be directed to dispose of five suits in O.S.Nos.124/2018, 714/2017, 274/2018, 742/2018 and 30/2021, along with the interim arrangement made in the present order by leaving open all contentions of the parties.

8. In the result, I pass the following:

ORDER

i) W.P.No.8907/2025 is hereby disposed of.

ii) The impugned order dated 07.12.2024 in M.A.No.131/2020 and Order dated 16.01.2018 passed in OS No.164/2018 are hereby modified.

iii) Respondent Nos.5, 6 and 7 - Banks are hereby directed not to disburse any amount in favour of the parties till disposal of the suit except portion of the interest amount as indicated herein below.

iv) Respondent No.5 - Karnataka Bank, Electronic City Branch is directed to disburse a sum of Rs.2,00,000/- each in favour of respondent Nos.1 and 2 out of interest accruing from the amount in deposit pertaining to Sudhanva Reddy for a period of 6 months commencing from 01.02.2026.

v) Registry of the Bengaluru Rural District Court, Bengaluru is directed to withdraw O.S.No.124/2018 from the file of the I Additional Civil Judge and JMFC, Bengaluru Rural District, Bengaluru and transfer the same to the Court of the III Additional Senior Civil Judge and JMFC, Bengaluru

Rural District, Bengaluru to be clubbed, consolidated, tried and disposed of along with O.S.Nos.714/2017, 274/2018, 742/2018 and 30/2021 pending before that Court i.e., III Additional Senior Civil Judge and JMFC, Bengaluru Rural District, Bengaluru.

vi) All parties are directed to appear before the Court of the III Additional Senior Civil Judge, Bengaluru Rural District, Bengaluru on 16.02.2026.

vii) It is made clear that a sum of Rs.2,00,000/- per month commencing from 01.02.2026 for a period of six months to be disbursed out of the interest accrued on the deposit in respondent No.5 - Karnataka Bank, Electronic City Branch, in favour of respondent Nos.1 and 2 shall be without prejudice to the rights and contentions of the parties and the same would be subject to the final outcome of the suits.

viii) The Trial Court i.e., the Court of III Additional Senior Civil Judge and JMFC, Bengaluru Rural District, Bengaluru is directed to dispose of all the five suits in O.S.Nos.124/2018, 714/2017, 274/2018, 742/2018 and 30/2021 within a period of six months from 16.02.2026.

ix) The parties are directed to co-operate with the Trial Court for expeditious disposal of the suits as stated supra.

x) All rival contentions on all aspects of the matter are kept open and no opinion is expressed on the same.

In view of disposal of the W.P.No.8907/2025, W.P.No.13542/2025 is also disposed of with a direction to parties to co-operate with the Trial Court for expeditious disposal of the suits as stated supra."

2. Aggrieved by the aforesaid order insofar as it relates to granting permission in favour of respondent Nos.2 and 3 - Siddaratha P.S. Reddy and Vikram P.S. Reddy to withdraw Rs.2,00,000/- per month from out of the interest accrued on the deposit in the Karnataka Bank, the present review petition is filed by the petitioner.

3. The respondent Nos.2 and 3 - Siddaratha P.S. Reddy and Vikram P.S. Reddy are physically present before the Court today along with their learned counsel and all of them jointly submit that if the trial Court is directed to dispose of all the five suits as directed in the aforesaid order on or before 16.08.2026, the respondents would not insist on withdrawing any further amount and all rival contentions may be kept open to be decided by the trial Court in accordance with law.

4. In view of the aforesaid facts and circumstances and the fair submission made by the respondent Nos.2 and 3 along with

their counsel that if the trial Court is directed to dispose of all the five suits on or before 16.08.2026 without seeking any extension under any circumstances whatsoever, I deem it just and appropriate to dispose of this review petition by reiterating that the trial Court shall dispose of all the five suits in O.S.Nos.124/2018, 714/2017, 274/2018, 742/2018 and 30/2021 in accordance with law on or before 16.08.2026 without seeking extension under any circumstances whatsoever.

5. As already directed by this Court in the aforesaid order, all parties are directed to co-operate with the trial Court for expeditious disposal of the suit as stated supra.

6. It is further directed that till disposal of the aforesaid suits by the trial Court, no party shall be entitled to withdraw any money from any of the Banks and all rival contentions on all aspects of the matter are kept/left open and no opinion is expressed on merits/demerits of the rival contentions.

Sd/-
(S.R.KRISHNA KUMAR)
JUDGE

MDS
List No.: 2 Sl No.: 5