HC-KAR

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF APRIL, 2026

PRESENT

THE HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE

AND

THE HON'BLE MR. JUSTICE C.M. POONACHA

WRIT PETITION NO. 6966 OF 2026 (GM-CPC)

BETWEEN:

1. MR. GOVINDARAJA KALAI
SOLE PROPRIETOR OF
M/S GK TRADING COMPANY
NO.84/2B, 1ST FLOOR
DOOR NO.158-1 VIIII
VSDERHOBLI
KUNDAPURA - 576 201

2. MRS. SRIDEVI
SOLE PROPRIETOR OF
M/S. EASY LIFE ENTERPRISES
D.NO.5-48, L-2 INDUSTRIAL ESTATE
PADAVU, YEYYADI, MANGALORE
DAKSHINA KANNADA
KARNATAKA - 575 008

ALSO AT:
BUILDING No.180/7374
NEAR YELLAMMA TEMPLE BILISHIVALE
BIDRAHALLI HOBLI
WEST TALUK
BENGALURU, KARNATAKA - 560 077

…PETITIONERS

(BY SRI P.N. MANMOHAN, ADVOCATE FOR
SRI VINAY N., ADVOCATE)

Digitally signed by VEERENDRA KUMAR K M
Location: High Court of Karnataka

AND:

1. MR. BALASUBRAMANYA HANGAL MANJUNATH
SOLE PROPRIETOR OF INVENTREE SOLUTIONS
S/O. H.S. MANJUNATH
AGED 42 YEARS
RESIDING AT NO.67
10TH MAIN, 13TH CROSS
MALLESHWARAM
BENGALURU - 560 003

2. INNOMECH HI TECH LLP
A LIMITED LIABILITY PARTNERSHIP
HAVING ADDRESS AT
NO.67, 10TH MAIN ROAD
MALLESHWARAM
BENGALURU - 560 003
REPRESENTED BY ITS PARTNER
MR. BALASUBRAMANYA HANGAL MANJUNATH

3. MR. K.R. CHANDRA PRAKASH
SOLE PROPRIETOR OF
INNOMECH TECHNOLOGIES
AGED 76 YEARS
SON OF K.S. RAMACHANDRA RAO
PROPRIETOR OF INNOMECH TECHNOLOGIES
NO.96/2, 1ST FLOOR, 16TH CROSS
WEST PARK ROAD
MALLESHWARAM
BENGALURU - 560 003

…RESPONDENTS

(BY SRI. PRIYA V., ADVOCATE FOR R-1 TO 3)

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA, PRAYING TO SET ASIDE THE ORDERS DATED 25.09.2025, 03.01.2026 AND 04.02.2026 PASSED ON

I.A.NO.2, 3 AND 4 RESPECTIVELY, PASSED IN COM.MISC.NO.89/2024 PASSED BY THE COURT OF THE LXXXIV ADDITIONAL CITY CIVIL AND SESSIONS JUDGE (COMMERCIAL COURT) (CCH-85) PRODUCED AT ANNEXURE-K, N AND T & ETC.

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

CORAM: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE
and
HON'BLE MR. JUSTICE C.M. POONACHA

ORAL ORDER

(PER: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE)

1. The petitioners have filed the present petition impugning the orders dated 25.09.2025, 03.01.2026 and 04.02.2026 passed in I.A.Nos.2, 3 and 4 respectively, in Com.Misc.No.89/2024 by the Court of learned LXXXIV Additional City Civil and Sessions Judge (CCH-85) (Commercial Court), Bengaluru [**Commercial Court**].

2. The respondents had filed a commercial suit (Com.O.S.No.1309/2024) seeking permanent injunction restraining the petitioners from importing, manufacturing, selling, offering for sale, advertising, directly or indirectly in any manner including through websites or other online shopping portals dealing with a similar trade dress and mark as its product "Hi-Tech Dhoti".

3. It is the respondents case that the petitioners were selling deceptively similar goods. While the said action is pending, the learned Commercial Court had granted the temporary injunction by order dated 22.11.2024 restraining the petitioners from manufacturing/selling the subject product in question. The said order was challenged in appeal COMAP No.587/2024 which is pending before this Court.

4. In the original proceedings, the witness examined by the respondents has filed an affidavit in lieu of examination-in-chief and also produced certain documents. The petitioners had objected to the marking of the said documents. However, the learned Commercial Court had proceeded to mark the said documents subject to the objections. According to the petitioners, the Commercial Court could not have proceeded to exhibit the said documents.

5. The respondents have also filed an application seeking to produce additional documents. The same was also allowed by an order dated 25.09.2025. Another application (I.A.No.3) was filed by the respondents which too was allowed by an order dated

03.01.2026. The petitioners seek to impugn these orders in the present petition.

6. Concededly, the said orders are not appealable orders under the Commercial Courts Act, 2015.

7. It is the petitioners contention that since no appeal lies against the said orders under the Contempt of Courts Act, 2015, the present petition is maintainable before this Court and the Court ought to entertain the same.

8. There is no cavil that the jurisdiction of the High Court under Article 226 of the Constitution of India is wide. However, it would not be apposite for this Court to entertain writ petitions against orders passed by the Commercial Court, merely because an appeal against the same is not maintainable. The legislative intent to restrict the orders against which appeal would lie in matters involving Commercial disputes, is to restrict the interference at any stage and to ensure expeditious disposal of the matters involving commercial disputes. It would be debilitating to the legislative intent if this Court entertains a petition under Article 226 of the Constitution of India, against every order which is not appealable

under the Commercial Courts Act, 2015. It would frustrate the object of restricting judicial interference in the trial of commercial disputes.

9. We, therefore, decline to entertain the present petition. The same is, accordingly, dismissed.

10. We, however, clarify that this order would not preclude the petitioners from agitating the issues as raised in the present case or in the objections to the applications filed before the Commercial Court at an appropriate stage in appropriate proceedings.

Sd/-
(VIBHU BAKHRU)
CHIEF JUSTICE

Sd/-
(C.M. POONACHA)
JUDGE

KMV
List No.: 2 Sl No.: 21.1