HC-KAR

NC: 2026:KHC:65304
WP No. 9840 of 2026

CNR: KAHC010229492026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE K. V. ARAVIND

WRIT PETITION NO. 9840 OF 2026 (GM-CPC)

BETWEEN:

1. M/S PURI CONNECTS,
   A LIMITED LIABILITY PARTNERSHIP FIRM
   HAVING OFFICE AT JAYABHERI
   THE PEAK FLAT NO.B2601,
   BLOCK B, GOCHIBOWLI NARSINGHI
   NEAR ORR, HYDERABAD 500075.
   TELANGANA
   REP. BY JETTIGARI VISHU REDDY

2. MR. PURI JAGANATH
   PARTNER M/S. PURI CONNECTS
   A LIMITED LIABILITY PARTNERSHIP FIRM
   HAVING OFFICE AT JAYABHERI
   THE PEAK FLAT NO.B2601,
   BLOCK B, GOCHIBOWLI
   NARSINGHI NEAR ORR,
   HYDERABAD 500075, TELANGANA.

3. MRS. SURDEEP KAUR DEEPSINGH UPPAL
   ALIAS CHARMME KAUR
   PARTNER M/S. PURI CONNECTS
   A LIMITED LIABILITY PARTNERSHIP FIRM
   HAVING OFFICE AT JAYABHERI THE PEAK FLAT
   NO.B2601, BLOCK B, GOCHIBOWLI
   NARSINGHI NEAR ORR,
   HYDERABAD 500075 TELANGANA

...PETITIONERS

(BY SRI ARSALAN AHMED KHAN, ADVOCATE FOR
SRI DORE RAJ B. H., ADVOCATE)

Digitally signed by VIJAYA P
Location: High Court of Karnataka

AND:

1. M/S. SRI JAGADGURU MOVIES
HAVING ITS OFFICE AT, NO.16/4,
6TH MAIN ROAD, GANDHI NAGAR
BENGALURU 560009
REPRESENTED BY ITS PROPRIETOR
MR. B. K. GANGADHAR

…RESPONDENT

(BY SRI RAGHUNATHA K., ADVOCATE)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO SET ASIDE THE ORDER DATED 17.02.2026 PASSED BY HON'BLE CITY CIVIL AND SESSIONS JUDGE (COMMERCIAL COURT) AT BENGALURU (CCH-83) IN COM. OS NO.1099/2024 CONSEQUENTLY ALLOW THE INTERLOCUTORY APPLICATION (IA 8) FILED BY THE PETITIONER COPY OF DAILY ORDER DATED 17.02.2026 IN COM. OS NO. 1099/2024 IS PRODUCED AND MARKED AS ANNEXURE-A.

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

CORAM: HON'BLE MR. JUSTICE K. V. ARAVIND

ORAL ORDER

The present petition is filed impugning the order dated 17.02.2026, whereby the application filed under Order XI Rule 1(10) of the CPC, seeking permission to produce nine documents, came to be rejected.

2. Learned counsel appearing for the petitioners submits that the documents sought to be produced along with the application were not within the possession or control of the petitioners.

2.1 It is submitted that immediately upon the said documents becoming available, the petitioners produced the same along with the application. The documents are stated to be necessary for the proper adjudication of the dispute in the suit.

2.2 It is further submitted that the Commercial Court, without examining the necessity and relevancy of the said documents, has erroneously rejected the application.

3. *Per contra*, learned counsel appearing for the respondent submits that the documents sought to be relied upon by the defendants were required to be furnished before the Commercial Court within the prescribed timeline.

3.1 It is submitted that there is considerable delay in filing the application seeking permission to produce the documents referred to therein. In the absence of sufficient grounds being

made out to explain the delay, the Commercial Court was justified in rejecting the application.

4. Considered the submissions made by the learned counsel for the parties and perused the impugned order.

5. Before proceeding to examine the correctness of the findings recorded by the Trial Court on the application, it is necessary to notice that the petitioners seek permission to produce nine documents. The affidavit accompanying the said application, setting out the grounds in support thereof, reads as follows:

> ***"3. I state that the document i.e., the agreement dated 12th April 2022 was not in the home branch and hence we couldn't file the original documents at the stage of filing the written statement.***
>
> ***4. I state that the document i.e., the letter dated 1st August 2022 was not produced at the stage of filing written statement due to oversight and hence I am filing the document now before this Hon'ble court."***

6. Paragraph No.3 of the application refers only to the agreement dated 12.04.2022, stating that the same could not be produced earlier as it was not available in the Home Branch. Paragraph No.4 refers to the letter dated 01.08.2022, with the explanation that its non-production was due to an oversight. However, the application is conspicuously silent with regard to the reasons for non-production of the remaining seven documents.

7. Order XI Rule 1(10) of the Code of Civil Procedure, 1908, as amended by the Commercial Courts Act, 2015, reads as follows:

> ***"ORDER XI***
>
> ***DISCLOSURE, DISCOVERY AND INSPECTION OF DOCUMENTS IN SUITS BEFORE THE COMMERCIAL DIVISION OF A HIGH COURT OR A COMMERCIAL COURT***
>
> ***1. Disclosure and discovery of documents.-***
>
> ***xxxxxxxxx***
>
> ***(10) Save and except for sub-rule (7) (c) (iii), defendant shall not be allowed to rely on documents, which were in the defendant's power, possession, control or***

> ***custody and not disclosed along with the written statement or counter-claim, save and except by leave of Court and such leave shall be granted only upon the defendant establishing reasonable cause for non-disclosure along with the written statement or counter-claim.***
>
> ***xxxxxx"***

8. Leave can be granted by the Court only upon the defendants making out or establishing reasonable cause for non-disclosure of the documents along with the written statement or counterclaim. A perusal of the reasons and grounds set out in the affidavit accompanying the application indicates that the documents were well within the power, possession, control or custody of the petitioners. The application does not even disclose, assuming that the documents were not within their power or possession earlier, as to when such power or possession came to be acquired by them.

9. Having regard to the object underlying the establishment of Commercial Courts and the timelines prescribed under the Commercial Courts Act, 2015, permitting such applications in

the absence of sufficient grounds would defeat the very purpose of the enactment. The discretion conferred upon the Commercial Court is intended to address situations warranting indulgence and to prevent unintended hardship to the parties in circumstances beyond their control.

10. In the present case, the grounds urged in support of the application indicate that the non-production of the documents was attributable merely to carelessness on the part of the petitioners. Such carelessness, in the absence of any other justifiable explanation, cannot constitute reasonable cause warranting the exercise of discretion under the provision.

11. In the absence of any further grounds warranting interference, this Court finds no reason to interfere with the order impugned in the present petition.

Accordingly, the writ petition is ***dismissed***.

Sd/-
(K. V. ARAVIND)
JUDGE

VBS/List No.: 1 Sl No.: 7