HC-KAR

NC: 2026:KHC:61351-DB
COMAP No. 212 of 2026
C/W COMAP No. 236 of 2026

CNR: KAHC010271452026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 4TH DAY OF NOVEMBER, 2026

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

THE HON'BLE MR. JUSTICE H.SHANTHI BHUSHAN

COMMERCIAL APPEAL NO. 212 OF 2026

C/W

COMMERCIAL APPEAL NO. 236 OF 2026

IN COMAP No. 212/2026

BETWEEN:

1. MR SATISH P CHANDRA
   S/O SRI V. PRAPHULLA CHANDRA
   AGED ABOUT 72 YEARS

2. MRS. S. SUSHEELA,
   W/O SRI SATISH P CHANDRA,
   AGED ABOUT 68 YEARS

   BOTH APPELLANT Nos.1 AND 2
   ARE HAVING THEIR REGISTERED OFFICE
   AT No:11, GROUND FLOOR,
   "GLOBAL TECH PARK" O' SHAUGHNESSY ROAD,
   LANGFORD TOWN,
   BENGALURU-560 001.

...APPELLANTS

(BY SRI. BADRI VISHAL., ADVOCATE)

Digitally signed by VASANTHA KUMARY B K
Location: HIGH COURT OF KARNATAKA

AND:

1. MR ISMAIL SHARIFF MOHAMMAD

AGED ABOUT 48 YEARS
S/O OF LATE M. AHAMED SHARIFF,
GF-2, No.34, SONA PALACE APARTMENTS,
NORRIS ROAD,
RICHMOND TOWN
BENGALURU-560025.

2. M/S MFAR SERVICES PRIVATE LIMITED LLP,
HAVING ITS REGISTERED OFFICE AT
#3, LAVELLE ROAD, B BENGALURU-56001
REPRESENTED BY ITS DIRECTOR
MR. Y. MOIDEEN RIZWAN

3. HDFC BANK LIMITED
REPRESENTED BY ITS BANK MANAGER,
24/3 HDFC HOUSE, NO.51,
KASTURBA ROAD,
BENGALURU-560001

4. AZB AND PARTNERS
HAVING OFFICE AT 37
CUNNINGHAM, 5TH FLOOR,
MUNICIPAL NO.37/11,
SAMPANGI RAMASWAMY TEMPLE ROAD,
BENGALURU-560052.

5. M/S PEARSON INDIA EDUCATION
SERVICES PRIVATE LIMITED.
HAVING OFFICE AT 37
CUNNINGHAM, 3RD FLOOR,
MUNICIPAL NO.37/11,
SAMPANGI RAMASWAMY TEMPLE ROAD,
BENGALURU-560052.

6. M/S SNEX TECHNOLOGY SERVICES
PRIVATE LIMITED.
HAVING OFFICE AT 37 CUNNINGHAM,
6TH FLOOR, MUNICIPAL NO.37/11,
SAMPANGI RAMASWAMY TEMPLE ROAD,
BENGALURU-560052.

7. M/S NOSTROMO DEVELOPERS LLP.
HAVING ITS PRINCIPAL BUSINESS
AT NO.11, O'SHAUGHNESSY ROAD,
LANGFORD TOWN,
BENGALURU-560001
REPRESENTED BY ITS
DESIGNATED PARTNER

…RESPONDENTS

(BY SRI. VENKATESH S ARBATTI., ADVOCATE FOR R1(NOC);
SMT. SMITHA R B, ADVOCATE FOR R2;
SRI. MOHAMMED SHAMEER, ADVOCATE FOR R3 (REP
BY GPA HOLDER - MS DEVINA PANDEY);
SRI. CHRISTOPHER EDWIN, ADVOCATE FOR R6;
SRI. VIKARAM UNNI RAJAGOPAL, ADVOCATE FOR R7;
R4 & R5 ARE SERVED)

THIS COMAP/COMMMERCIAL APPEAL IS FILED UNDER SEC.13(1A) OF THE COMMERCIAL COURTS ACT, 2015, PRAYING TO SET ASIDE THE ORDER DATED 17.03.2026 PASSED BY THE LEARNED LXXXIV ADDITIONAL CITY CIVIL AND SESSIONS JUDGE, BENGALURU, (CCH-85), (COMMERCIAL COURT) IN COM.A.A.NO.488/2025, IN SO FAR AS IT PERTAINS TO GRANTING PRAYER NO.1 OF THE MAIN PETITION AND ALLOWING IA NO.1 AND PARTLY ALLOWING IA NO.6 AND ALLOWING IA NO.7. (ANNEXURE A).

IN COMAP NO. 236/2026

BETWEEN:

1. MR. ISMAIL SHARIFF MOHAMMED
S/O LATE M. AHAMED SHARIFF,
AGED ABOUT 48 YEARS,
GF-2, NO-34,
SONA PALACE APARTMENTS,

NORRIS ROAD,
RICHMOND TOWN,
BANGALORE-560025.

...APPELLANT

(BY SRI. VENKATESH ARABATTI., ADVOCATE (NOC))

AND:

1. MR. SATISH P CHANDRA
   S/O SRI. V PRAPHULLA CHANDRA,
   AGED ABOUT 72 YEARS,

2. MRS. S. SUSHEELA
   W/O SATISH P CHANDRA
   AGED ABOUT 68 YEARS,

   BOTH R1 AND R2 HAVING
   THEIR REGISTERED OFFICE AT
   NO.11, GROUND FLOOR,
   GLOBAL TECH PARK
   O'SHAUGHNESSY ROAD,
   LANGFORD TOWN,
   BENGALURU-560001

3. M/S MFAR SERVICES PRIVATE LIMITED,
   HAVING REGISTERED OFFICE AT
   #3, LAVELLE ROAD,
   BANGALORE-560001
   REPRESENTED BY ITS DIRECTOR
   MR. Y. MOIDEEN RIZWAN

4. HDFC BANK LIMITED,
   REPRESENTED BY ITS BANK MANAGER
   24/3, HDFC HOUSE,
   NO.51, KASTURABA ROAD,
   BANGALORE.

5. AZB AND PARTNERS
   HAVING OFFICE AT
   37 CUNNIGHAM, 5TH FLOOR,

MUNICIPAL NO.37/11(OLD NO.11/37),
SAMPANGI RAMASWAMY TEMPLE ROAD,
BANGALORE-560052.

6. M/S PEARSON INDIA EDUCATION
SERVICES PRIVATE LIMITED
HAVING OFFICE AT
37 CUNNIGHAM, 3RD FLOOR (PART-A)
MUNICIPAL NO.37/11(OLD NO.11/37),
SAMPANGI RAMASWAMY TEMPLE ROAD,
BANGALORE-560052.

7. M/S SNEX TECHNOLOGY SERVICES
PRIVATE LIMITED
HAVING OFFICE AT
37 CUNNIGHAM, 6TH FLOOR,
MUNICIPAL NO.37/11(OLD NO.11/37),
SAMPANGI RAMASWAMY TEMPLE ROAD,
BANGALORE-560052.

8. M/S NOSTROMO DEVELOPERS LLP
HAVING ITS PRINCIPAL PLACE OF
BUSINESS AT NO.11,
GROUND FLOOR, GLOBAL TECH PARK,
O'SHAUGHNESSY ROAD,
LANGFORD TOWN
BENGALURU-560001,
REPRESENTED BY ITS
DESIGNATED PARTNERS

...RESPONDENTS

(BY SRI. BADRI VISHAL, ADVOCATE FOR C/R1 &
R2 (CP No.8405/2026);
SRI. MOHAMMED SHAMEER, ADVOCATE FOR C/R4
(CP No.7793/2026);
SMT. PRERNA PONAPPA, ADVOCATE FOR R5)

THIS COMAP IS FILED UNDER SECTION 13(1-A) OF COMMERCIAL COURT ACT, PRAYING TO SET ASIDE THE

ORDER DATED 17.03.2026 PASSED BY THE LEARNED LXXXIV ADDITIONAL CITY CIVIL AND SESSIONS JUDGE, BENGALURU (CCH-85) (COMMERCIAL COURT) IN COM.AA NO.488/25 IN SO FAR AS IT PERTAINS TO REJECTING THE I.A NO.4 AND PARTLY ALLOWING I.A.NO.6 AND REJECTED THE MAIN PRAYER II, IV V, VI VII, VIII AND CONSEQUENTLY ALLOW THE SAID APPLICATION IN FULL BY GRANTING COMPLETE PROTECTION TO THE APPELLANTS SHARE OF PROFITS, DIRECTING DEPOSIT OF ENTIRE ADMITTED PROFITS, APPOINTING AN INDEPENDENT FORENSIC AUDITOR, AND GRANTING APPROPRIATE ORDERS FOR SAFEGUARDING THE ASSETS, BANK ACCOUNTS AND FINANCIAL TRANSACTIONS OF RESPONDENT NO.8 LLP.

THESE APPEALS, COMING ON FOR ADMISSION, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE D K SINGH
and
HON'BLE MR. JUSTICE H.SHANTHI BHUSHAN

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE D K SINGH)

Learned counsel appearing for the appellants has filed a memo dated 04.11.2026 seeking permission of this Court to withdraw the appeals.

2. The said memo is placed on record. The appeals are dismissed as withdrawn in terms of the memo.

Sd/-
(D K SINGH)
JUDGE

Sd/-
(H.SHANTHI BHUSHAN)
JUDGE

RKA
List No.: 1 Sl No.: 25