HC-KAR

NC: 2026:KHC:54806-DB
COMAP No. 332 of 2026

CNR: KAHC010436822026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 1ST DAY OF OCTOBER, 2026

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

THE HON'BLE MR. JUSTICE H.SHANTHI BHUSHAN

COMMERCIAL APPEAL NO. 332 OF 2026

BETWEEN:

1. M/S KARUNAI GRANITES PRIVATE LIMITED
A PRIVATE LIMITED COMPANY INCORPORATED
UNDER THE COMPANIES ACT, 1956
HAVING ITS REGISTERED OFFICE AT
NO.3/555, KARUNAI NAGAR
JAGADEVIPALAYAM VILLAGE AND POST
BARUGUR TALUK
KRISHNAGIRI DISTRICT-635 203, TAMIL NADU
REPRESENTED HEREIN BY ITS
MANAGING DIRECTOR/AUTHORIZED SIGNATORY
SRI KARUNAKARAN

...APPELLANT

(BY SRI RUPESH KUMAR S, ADVOCATE [ABSENT])

Digitally signed by VASANTHA KUMARY B K

Location: HIGH COURT OF KARNATAKA

AND:

1. KARNATAKA STATE FINANCIAL
CORPORATION (KSFC)
A BODY CORPORATE ESTABLISHED
UNDER THE STATE FINANCIAL
CORPORATIONS ACT, 1951
HAVING ITS HEAD OFFICE AT
NO.1/1, THIMMAIAH ROAD
VASANTHNAGAR
BENGALURU-560 052

2. M/S. PRASHANTH MINERALS
EXPORT PRIVATE LIMITED
A PRIVATE LIMITED COMPANY INCORPORATED
UNDER THE COMPANIES ACT, 1956
HAVING ITS REGISTERED OFFICE AT NO.183
"VAIBHAV", 2ND CROSS, I BLOCK
SBM ROAD, KORAMANGALA
BENGALURU - 560 034

3. SHRI N SRIDHAR
S/O N JAYARAMI REDDY
RESIDING AT NO. 16/2
ANJANEYA TEMPLE STREET
V V PURAM, BANGAORE-560 004

4. SHRI N UDAY KUMAR
S/O SRI B V KRISHNA RAO
RESIDING AT NO. 3-C
'JEEVAN APARTMENTS', NO. 219
R.M.V. EXTENSION
BENGALURU-560 080

…RESPONDENTS

THIS COMMERCIAL APPEAL IS FILED UNDER SECTION 13(1A) OF THE COMMERCIAL COURTS ACT, 2015, PRAYING TO ALLOW THE COMMERCIAL APPEAL AND SET ASIDE THE ORDER DATED 01.06.2026 PASSED BY THE XI ADDITIONAL DISTRICT AND SESSIONS JUDGE (DEDICATED COMMERCIAL COURT) THEREBY ALLOWING THE APPLICATION FILED BY THE APPELLANT HEREIN UNDER ORDER IX RULE 7 OF THE CODE OF CIVIL PROCEDURE THEREBY SETTING ASIDE THE ORDER DIRECTING THE APPELLANT HEREIN TO DEPOSIT A SUM OF RS.40.82 CRORES AS CONDITION PRECEDENT TO SET ASIDE THE *EX PARTE* ORDER.

THIS APPEAL, COMING ON FOR ORDERS, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

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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)

1. There is no representation on behalf of the appellant to press this appeal either in the first call or in the revised call. In view thereof, we have no option but to dismiss the appeal for non-prosecution.

2. Accordingly, the appeal is dismissed for non-prosecution.

In view of dismissal of the appeal, pending IAs, if any, do not survive for consideration and accordingly, they stand disposed of.

Sd/-
(D K SINGH)
JUDGE

Sd/-
(H.SHANTHI BHUSHAN)
JUDGE

BKV
CT:SN
List No.: 2 Sl No.: 4