HC-KAR

NC: 2026:KHC:65673-DB
COMAP No. 425 of 2026

CNR: KAHC010610382026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH 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. 425 OF 2026

BETWEEN:

1. ABDUL RAHMAN KHAN
   AGED ABOUT 52 YEARS
   S/O ABDUL JABBAR KHAN
   R/AT NO.1195, 13TH 'A' MAIN ROAD
   HAL 2ND STAGE, INDIRANAGAR
   BENGALURU-560038

...APPELLANT

(BY SRI ASLAM KHAN M, ADVOCATE)

AND:

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

1. MRS. ARUNA DEVI MADAN KUMAR
   AGED ABOUT 54 YEARS
   D/O D R RAGHAVENDRA
   W/O MADAN KUMAR
   R/AT INDBURG SERENITY APARTMENT
   BLOCK-C, FLAT NO.C101, NO.239
   BALAJI NAGAR, NGEF LAYOUT
   BANGALORE-560056

2. MRS. LAKSHMI RAJU
   AGED ABOUT 50 YEARS
   D/O D R RAGHAVENDRA

W/O M R RAJU
R/AT NO.92, 2ND FLOOR
2ND CROSS, NEAR MUDDINAPALYA
NISARGA LAYOUT, RTO MALLATHALLI
BANGALORE-560056

3. MRS. VEDHAVATHI VENUGOPAL
AGED ABOUT 48 YEARS
D/O D R RAGHAVENDRA
W/O VENUGOPAL B R
R/AT NO.255, 12TH CROSS
SHREE NARAYANI NILAYAM
BENGALURU-560056

…RESPONDENTS

(BY SRI SHRAVAN S LOKRE, ADVOCATE FOR C/R-1 TO R-3)

THIS COMAP IS FILED UNDER SECTION 13(1-A) OF THE COMMERCIAL COURTS ACT, 2015, PRAYING TO ALLOW THIS APPEAL AND SET ASIDE THE IMPUGNED ORDER AND JUDGMENT DATED 06.07.2026 IN COM.OS.NO.1375/2024 PASSED BY THE LXXXVIII ADDITIONAL CITY CIVIL AND SESSIONS JUDGE (CCH NO.89), BANGALORE, BY ALLOWING THE SAID SUIT.

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

CNR: KAHC010610382026

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. The present commercial appeal has been filed praying to set aside the judgment and order dated 06.07.2026 passed in Com.OS.No.1375/2024 by the LXXXVIII Additional City Civil and Sessions Judge (CCH No.89), Bengaluru.

2. Learned counsel for the appellant submits that some time may be granted to the appellant to vacate the premises on payment of monthly rent of Rs.99,000/- as ordered by the Court below.

3. Considering the fact that the appellant is running a commercial establishment in the premises in question, we grant four months time to the appellant to vacate the premises subject to the appellant paying monthly rent of Rs.99,000/- regularly on or before 7th day of each succeeding month and also filing an undertaking on affidavit before this Court, for

vacating the premises in question on or before 31.03.2027, within two weeks from today.

4. In view of the aforesaid, the appeal stands disposed of. However, since the appeal has not been admitted, the appellant shall be entitled for refund of the Court fee in accordance with the applicable Rules.

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
List No.: 2 Sl No.: 1