HC-KAR
CNR: KAHC010642632026

NC: 2026:KHC:65317
WP No. 29266 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF NOVEMBER, 2026

BEFORE

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

WRIT PETITION NO. 29266 OF 2026 (GM-CON)

BETWEEN:

1. MR. GIRIJA SHANKAR
S/O LATE LINGASETTY
AGED ABOUT 59 YEARS
NO.FF3, SGS HIGHLAND,
BEML LAYOUT, RAJARAJESHWARI NAGAR,
BENGALURU-570098

…PETITIONER

(BY SRI. KARTHIK B Y.,ADVOCATE)

AND:

1. MR. M. V. HARISH BABU
S/O M.N. VISHWANATHAIAH,
AGED ABOUT 45 YEARS,
RESIDING AT NO. 131,
16TH MAIN, MICO LAYOUT,
BEGUR, BENGALURU 560 068

2. M/S. LAVISA INFRASTRUCTURES LIMITED,
NO. 17, 1ST FLOOR, SANKEY ROAD,
BENGALURU - 560 020.
REGISTERED UNDER COMPANIES ACT 1956
REPRESENTED BY MALVI
SENHA DIRECTOR.

…RESPONDENTS

THIS WP IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASHING THE ORDER DATED 15.11.2025 PASSED IN EXECUTION APPLICATION NO. 10/2025 BY THE II ADDITIONAL DISTRICT CONSUMER DISPUTES REDRESSAL COMMISSION, BENGALURU URBAN, TO THE EXTENT IT TREATS THE PETITIONER AS THE SOLE DIRECTOR OF RESPONDENT NO. 2 (MARKED AS ANNEXURE-C) ORDER DATED. 15.11.2025.

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

CORAM: HON'BLE MR. JUSTICE C.M. POONACHA

ORAL ORDER

The present writ petition is filed seeking for the following reliefs:

> *"1. Issue a Writ of Certiorari or any other appropriate Writ, Order, or Direction quashing the Order dated 15.11.2025 passed in Execution Application No. 10/2025 by the II Additional District Consumer Disputes Redressal Commission, Bengaluru Urban, to the extent it treats the Petitioner as the Sole Director of Respondent No. 2. (Marked as Annexure-C) order dated 15/11/2025.*
>
> *2. Pass such other orders or directions as this Hon'ble Court deems fit in the interest of equity and justice."*

2. The grievance of the petitioner is that by the order dated 15.11.2025 passed in Ex. Application No.10/2025 (Annexure-C to the writ petition) by the Bangalore Urban II Addl. District Consumer Disputes Redressal Commission, Bangalore Urban

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District, Bangalore[1], the petitioner has been treated as the sole director of the Judgment Debtor. In this context, it is pertinent to notice the said order dated 15.11.2025 which reads as under:

> *"Both parties called out absent. Both side Advocates present. Advocate for Dhr/Complainant filed PF Memo with RPAD charges requesting to issue EP notice to Girija Shankar who is Sole Director of Jdr company. Perused the Records and Articles of Association & MOU submitted by Advocate for Mala Sinha who happens to be W/o of Deceased Director of Jdr company.*
>
> *Issue notice of EP & documents to Sole Director of Jdr, through RPAD, call on15/12/2025."*

3. It is forthcoming that based on the representation of the Decree Holder/Complainant, the Executing Court while issuing notice on the Execution Petition has referred to the petitioner as the Sole Director of the Judgment Debtor Company.

4. It is clear from a bare perusal of the said order dated 15.11.2025 that there is no adjudication as to the aspect as to whether the petitioner was the Sole Director of the Judgment Debtor company.

[1] Hereinafter referred to as ' Executing Court'

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5. In view of the same, notwithstanding the order dated 15.11.2025, it shall be open to the petitioner to demonstrate before the Executing Court that he is not the Sole Director of the company in question.

6. The writ petition stands disposed of with the aforementioned observations.

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(C.M. POONACHA)
JUDGE

BS - List No.: 1 Sl No.: 3