HC-KAR

NC: 2026:KHC:61186-DB
COMAP No. 450 of 2026

CNR: KAHC010644752026

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. 450 OF 2026

BETWEEN:

M/S UDHAIVI HEALTH CARE INDIA PRIVATE LIMITED
A COMPANY INCORPORATED UNDER THE
COMPANIES ACT, 2013
REPRESENTED BY ITS MANAGING DIRECTOR,
MR. NARASIMHAN PALANI
REGISTERED OFFICE AT NO. 116, 11TH CROSS,
MALLESWARAM, MARGOSA ROAD,
BENGALURU 560 003.
EMAIL: LEGAL@UDHAIVIHEALTHCARE.
IN PHONE 91-9845012345

...APPELLANT

(BY SRI. CHAITANYA S G, ADVOCATE)

Digitally signed
by MALA K N
Location: HIGH
COURT OF
KARNATAKA

AND:

1. SRI. AKKISETTY NARENDRANATH MANIDATTA
   S/O A.R. NARENDRANATH,
   AGED ABOUT 44 YEARS,
   RESIDING AT NO. 10, A.R.S. HOUSE,
   2ND CROSS, NEAR SBI, MALLESWARAM,
   BENGALURU 560 003.

2. MRS. GODHA KRISHNA PRASAD
   W/O MR. KRISHNA PRASAD,
   RESIDING AT H.NO. 116/5-1, 11TH CROSS,
   MALLESWARAM, BENGALURU 560 003.

3. M/S. HDFC BANK LIMITED
REGISTERED OFFICE AT
HDFC BANK HOUSE,
SENAPATI BAPAT MARG,
LOWER PAREL (WEST),
MUMBAI – 400 013.

AND ALSO AT BRANCH OFFICE NO. 51,
HDFC HOUSE, KASTURBA MARG,
BENGALURU 560 001.

…RESPONDENTS

(BY SRI. SIDDHARTH SUMAN, ADVOCATE FOR C/R1
IN CP 19877/2026 & ALSO VK FILED
SRI. S V BHAT, ADVOCATE FOR R2;
SRI. RAGHURAM CADAMBI, ADVOCATE FOR R3)

THIS COMAP / COMMERCIAL APPEAL UNDER SECTION 13 (1A) OF THE COMMERCIAL COURTS ACT, 2015 READ WITH ORDER XLIII RULE (R) AND SECTION 151 OF THE CODE OF CIVIL PROCEDURE, 1908 PRAYING TO ALLOW THE COMMERCIAL APPEAL AND SET ASIDE THE IMPUGNED ORDER DATED.14.08.2026 PASSED IN COMMERCIAL O.S.NO.1133/2026 ON INTERIM APPLICATION NO.2 IN SO FAR AS IT REJECTS THE APPELLANTS APPLICATION FOR TEMPORARY INJUNCTION AND ETC.,

THIS APPEAL, 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

CNR: KAHC010644752026

ORAL JUDGMENT

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

The present Commercial Appeal has been filed under Section 13(1A) of the Commercial Courts Act, 2015 impugning the order dated 14.08.2026 passed in Com.O.S.No.1133/2026 by the LXXXVIII Additional City Civil and Sessions Judge, Exclusive Commercial Court, Bengaluru (CCH - 89).

2. Learned counsel for respondent No.3 - HDFC Bank submits that the appellant may make representation for refund of his security deposit of Rs.70,00,000/- is concerned and the Bank will consider the request in accordance with law.

3. In view of the aforesaid submission of respondent No.3 - HDFC Bank, we ***dispose of*** this appeal with liberty to the appellant to make representation to the Bank for refund of the security deposit inasmuch as, it appears that the appellant is no longer in physical

possession of the property in question and he is only interested to get his security deposit refunded to him and remove his belongings from the premises in question.

4. If the security deposit is refunded to the appellant, he shall be permitted to take his belongings from the property in question after due notice to respondent No.1.

Sd/-
(D K SINGH)
JUDGE

Sd/-
(H.SHANTHI BHUSHAN)
JUDGE

BVK
List No.: 1 Sl No.: 3