HC-KAR

NC: 2026:KHC:61953
WP No. 31405 of 2026

CNR: KAHC010678792026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 5TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE K. V. ARAVIND

WRIT PETITION NO. 31405 OF 2026 (GM-CPC)

BETWEEN:

1. ANUSHKA. S. MELWANI,
W/O. SURESH. S. MELWANI,
AGED ABOUT 41 YEARS,
RESIDING AT NO.52,
OPAL NEXT APARTMENT,
ROBERTSON ROAD, FRAZER TOWN,
BANGALORE-560005.

2. SURESH. S. MELWANI,
S/O. SHAM. S. MELWANI,
AGED ABOUT 43 YEARS,
RESIDING AT NO.52,
OPAL NEXT APARTMENT,
ROBERTSON ROAD, FRAZER TOWN,
BANGALORE 560005.

...PETITIONERS

(BY SRI SAILESH S KATAREY, ADVOCATE)

Digitally signed by VIJAYA P
Location: High Court of Karnataka

AND:

1. UMAR SHARIFF
S/O. NOOR MOHAMMED SHARIFF,
AGED ABOUT 37 YEARS OLD,
RESIDING AT NO.74,
MACKAN STREET,
THIMMAIAH ROAD,

BHARATHINAGAR,
BANGALORE-560001.

2. NOOR MOHAMMED SHAREEF
SINCE DECEASED,
REPRESENTED BY HIS LEGAL HEIRS,

ABIDA BEGUM,
W/O. NOOR MOHAMMED SHAREEF,
AGED ABOUT 69 YEARS,

3. TAJ BANU,
W/O. IMTIYAZ KHAN,
AGED ABOUT 51 YEARS,

4. RESHMA,
W/O. MASOOD PASHA,
AGED ABOUT 44 YEARS,

5. SHARFUNNISSA,
W/O. UBAIDULLA SHAREEF,
AGED ABOUT 41 YEARS,

6. GHOUSIA SHAREEF,
W/O. NAZEER AHMED,
AGED ABOUT 39 YEARS,

7. MOHAMMED SHAREEF,
S/O. NOOR MOHAMMED SHAREEF,
AGED ABOUT 37 YEARS,

8. SHAHEEN SHAREEF,
W/O. AFROZ AHMED,
AGED ABOUT 49 YEARS,

RESPONDENTS No.2 TO 8 ARE
RESIDING AT NO.74,
MACKAN STREET, THIMMAIAH ROAD,
BHARATHINAGAR, BANGALORE 560001

9. IQBAL SHAREEF,
S/O. MOINUDEEN,
MAJOR,
R/T NEHRUPURAM,
THIMMAIAH ROAD,
BANGALORE 560051

10. MEHARUNISSA,
W/O. LATE MAHMOOD PASHA,
AGED ABOUT 64 YEARS,
RESIDING AT NO.69/1,
THIMMAIAH ROAD, BHARATHINAGAR,
BANGALORE-560001.

11. ANJUM PASHA,
S/O. LATE MAHMOOD PASHA,
AGED ABOUT 44 YEARS,
RESIDING AT NO.69/1,
THIMMAIAH ROAD, BHARATHINAGAR,
BANGALORE 560001.

12. MRS. NASREEN SHAIK,
D/O. LATE RIYAZ AHMED SHARIFF,
ALIAS SHAIK.
AGED ABOUT 55 YEARS,
RESIDING AT NO.48,
VEER SAWARKAR MARAG,
JAKEIYA HAMED PATEL CHOWAL,
ROOM NO.19, MAHIME 400016.

13. MR. AYUB SHAIK,
S/O. LATE RIYAZ AHMED SHARIFF,
ALIAS SHAIK
AGED ABOUT 53 YEARS,
RESIDING AT NO.48,
VEER SAWARKAR MARAG,
JAKEIYA HAMED PATEL CHOWAL,
ROOM NO. 19, MAHIME 400016.

14. MR. MUKTHIYAR SHAIK,
S/O. LATE RIYAZ AHMED SHARIFF,
ALIAS SHAIK
AGED ABOUT 50 YEARS,
RESIDING AT NO.48,
VEER SAWARKAR MARAG,
JAKEIYA HAMED PATEL CHOWAL,
ROOM NO. 19, MAHIME,
MUMBAI 400016.

15. MRS. NARGIS SHAIK,
D/O. LATE RIYAZ AHMED SHARIFF,
ALIAS SHAIK
AGED 49 YEARS,
RESIDING AT NO.48,
VEER SAWARKAR MARAG,
JAKEIYA HAMED PATEL CHOWAL,
ROOM NO. 19, MAHIME,
MUMBAI 400016.

16. MR. JAVID SHAIK,
S/O. LATE RIYAZ AHMED SHARIFF,
ALIAS SHAIK
AGED ABOUT 48 YEARS,
RESIDING AT NO.48,
VEER SAWARKAR MARAG,
JAKEIYA HAMED PATEL CHOWAL,
ROOM NO. 19, MAHIME,
MUMBAI 400016.

…RESPONDENTS

(VIDE ORDER DATED 05.11.2026 NOTICE TO RESPONDENTS IS DISPENSED WITH)

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECTING THE XLI ADDITIONAL CITY CIVIL AND SESSIONS JUDGE, BENGALURU (CCH-42) TO EXPEDITIOUSLY DISPOSE OF THE SUIT IN O.S. No.6532/2015 AT ANNEXURE-B.

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

CORAM: HON'BLE MR. JUSTICE K. V. ARAVIND

ORAL ORDER

1. The present petition is filed seeking a limited relief of directing the Trial Court to dispose of O.S.No.6532/2015 expeditiously.

2. Learned counsel appearing for the petitioners submits that the suit for partition was instituted in the year 2015 and that, even after the lapse of 11 years, the suit is still at the stage of the plaintiffs' evidence. It is further submitted that the petitioners are in possession of the suit schedule property and that the continued pendency of the suit, without any reasonable progress, is causing hardship to them.

3. Considered the submissions made by the learned counsel for the petitioners and perused the order sheet available in the record.

4. Having regard to the limited nature of the direction that this Court is inclined to issue, issuance of notice to the respondents is dispensed with.

5. The suit for partition was instituted in the year 2015. Even after the lapse of 11 years, the suit is still at the stage of the plaintiffs' evidence. In the circumstances, this Court is inclined to direct the Trial Court to dispose of the suit expeditiously. Accordingly, the following:

ORDER

i) Writ Petition is ***allowed in part***.

ii) The Trial Court is directed to expedite and dispose of O.S.No.6532/2015 with an outer limit of one year from the date of this order.

SD/-
(K. V. ARAVIND)
JUDGE

VP
List No.: 1 Sl No.: 17