NC: 2026:KHC:24513
WP No. 32117 of 2024

HC-KAR

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

WRIT PETITION NO. 32117 OF 2024 (GM-CPC)

BETWEEN:

M/S PINKAPPLE STUDIO PVT. LTD.
PRESENTLY HAVING PLACE OF BUSINESS AT
NO. 401, 4TH FLOOR
GOLDEN SQUARE, EDEN PARK
20 VITTAL MALLYA ROAD
BANGALORE -560 001,
REP. BY ITS AUTHORIZED
REPRESENTATIVE
MR. JAMES SERRAO

...PETITIONER

(BY SRI. VENKATESH S ARBATTI, ADVOCATE)

AND:

1. MR. V RAGHU
   AGED ABOUT 69 YEARS
   S/O LATE VENKATASWAMAPPA

2. MRS. VASANTHA
   AGED ABOUT 65 YEARS
   W/O V. RAGHU

3. MR. KEERTHI KUMAR
   AGED ABOUT 34 YEARS
   S/O V. RAGHU
   ALL ARE R/AT FARM HOUSE
   VIDYARANYAPURAM POST
   BANGALORE - 560 097.

4. SYMCOM ENGINEERS
   NO. 54, SRI VENKATESHWARA
   INDUSTRIAL SHED
   VIDYARANYAPURAM POST

Digitally signed by DHANALAKSHMI MURTHY
Location: HIGH COURTOF KARNATAKA

NEAR JALAHALLI EAST AIR FORCE
M.S PALYA, BANGALORE-560 097.
A PARTNERSHIP FIRM
REP. BY ITS AUTHORISED SIGNATORY.

5. MUD AND METTLE PERFORMANCE TRAINING
NO.54, NEAR JALAHALLI EAST AIR FORCE
M.S PALYA, BANGALORE - 560 097
REP. BY ITS PROPRIETOR
MR. JOHN

…RESPONDENTS

(BY SRI. VIVEK B.N., ADVOCATE FOR
SRI. ABHINAV RAMANAND A., ADVOCATE FOR R1 TOR 3
R4 AND R5 ARE SERVED)

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH BY THE WRIT OF CERTIORARI OR ANY OTHER APPROPRIATE WRIT OR ORDER DIRECTION IN THE NATURE OF WRIT THE ORDER DATED: 23.11.2024 PASSED BY THE XXXIX ADDL CITY CIVIL AND SESSION JUDGE BANGALORE (CCH-40) IN REFUSING TO GRANT AN AD INTERIM EX PARTE ORDER OF TEMPORARY INJUNCTION ON IA NO. 1 IN OS NO. 8277/2024 AS PER ANNEXURE-A AND ETC.

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

CORAM: HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

ORAL ORDER

1. In this writ petition, the petitioner–plaintiff has called in question the order dated 23.11.2024 passed by the XXXIX Additional City Civil and Sessions Judge, Bengaluru (hereinafter referred to as the "Trial Court"), in O.S.No.8277/2024, whereby the Trial Court did not grant

an ex-parte order of injunction on I.A.No.I filed by the plaintiff under Order XXXIX Rules 1 and 2 read with Section 151 of CPC, but issued only emergent notice and suit summons to the defendants on I.A.No.I.

2. For the sake of convenience, the parties are referred to as per their rankings before the Trial Court in Original Suit.

3. The plaintiff filed a suit in O.S.No.8277/2024 before the Trial Court seeking the reliefs of bare injunction. Along with the plaint, the plaintiff filed I.A.No.I under Order XXXIX Rules 1 and 2 read with Section 151 of CPC, seeking an ex-parte order of temporary injunction against the defendants. The Trial Court, by the impugned order dated 23.11.2024, issued emergent notice and suit summons to the defendants on I.A.No.I and did not grant an ex-parte order of temporary injunction. Being aggrieved by the same, the petitioner is before this Court.

4. This Court, by order dated 29.11.2024, issued emergent notice to the respondents and after hearing,

granted an interim order restraining the respondents from interfering with the possession of the plaintiff-petitioner until further orders.

5. After service of notice by this Court, the respondents-defendants filed an application for vacation of the interim order granted by this Court on 29.11.2024.

6. Since the application filed by the plaintiff under Order XXXIX Rules 1 and 2 read with Section 151 of CPC is still pending before the Trial Court, and although notice was issued to the defendants by the impugned order dated 23.11.2024, no order has been passed on the said application, this Court deems it appropriate to dispose of this writ petition with a direction to the Trial Court to consider and dispose of the said application as expeditiously as possible.

7. Accordingly, the following order is passed:

ORDER

a) The writ petition is ***disposed of.***

b) The Trial Court is directed to dispose of I.A.No.I filed by the plaintiff under Order XXXIX Rules 1 and 2 read with Section 151 of CPC, in accordance with law, as expeditiously as possible, on or before 30.06.2026.

c) Till consideration of I.A.No.I, the interim order granted by this Court on 29.11.2024 shall continue.

d) It is made clear that the Trial Court shall decide the said application on merits, without being influenced by any observations made in the impugned order.

All pending applications, if any, shall also stand disposed of accordingly.

Sd/-
(H.T. NARENDRA PRASAD)
JUDGE

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