HC-KAR

NC: 2026:KHC:61066
MFA No. 7583 of 2026

CNR: KAHC010720412026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 3RD DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

MISCELLANEOUS FIRST APPEAL NO. 7583 OF 2026 (CPC)

BETWEEN:

1. SRI. VANCHALA KASI
   VISHWANATHA SARMA
   S/O MR. VENKATA SHASTRI
   AGED ABOUT 72 YEARS

2. SMT. V. VASANTHA SARMA
   W/O VANCHALA KASI
   VISHWANATHA SARMA
   AGED ABOUT 67 YEARS,

3. SMT. V. VARUDHINI
   D/O VANCHALA KASI
   VISHWANATHA SARMA
   AGED ABOUT 47 YEARS,

4. SRI. PHANIKIRAN
   S/O VANCHALA KASI
   VISHWANATHA SARMA
   AGED ABOUT 49 YEARS,

5. SRI. VANCHALA KASI
   VISHWANATHA SARMA
   IN HIS CAPACITY AS PROPRIETOR OF
   M/S. CORPORATE REMINDER
   NO. 9, B BLOCK, CIL COLONY,
   3RD MAIN, SANJAYANAGAR
   BANGALORE - 560 094.
   ALSO AT NO. 223, 3RD CROSS
   GARDEN VILLAS, MARUTHINAGAR,
   BANGALORE - 560 072.

Digitally signed by VINUTHA M
Location: HIGH COURT OF KARNATAKA

6. M/S. SAI HARI PVT. LIMITED,
A COMPANY REGISTERED UNDER
THE COMPANIES ACT, 1956,
AND HAVING OFFICE AT NO. 223,
3RD CROSS, GARDAN VILLAS,
MARUTHINAGAR, BANGALORE - 560 072.
REPRESENTED BY ITS DIRECTORS
V K V SARMA AND V VASANTHA SARMA.

7. VANCHALA KASI VISHWANATHA SARMA
IN HIS CAPACITY AS PROPRIETOR
OF V K V AND CO., NO. 223,
3RD CROSS, GARDAN VILLAS,
MARUTHINAGAR,
BANGALORE - 560 072.

8. STATE BANK OF INDIA
AED BRANCH, NAGARABHAVI,
BANGALORE - 560 072.

…APPELLANTS

(BY SRI. PARASHIVA PRASAD H.M, ADVOCATE)

AND:

M/S. NANDI HIGHWAY DEVELOPERS LTD.,
HAVING ITS OFFICE AT NO. 1,
MID-FORD HOUSE, MID-FORD GARDENS
OFF M.G ROAD, BANGALORE - 560 001.
REPRESENTED BY ITS
AUTHORIZED SIGNATORY
SRI. A. RUDRE GOWDA.

…RESPONDENT

(BY SRI. E.R. GAJENDRA NAIDU, ADVOCATE FOR C/R)

THIS MFA IS FILED UNDER ORDER XLIII RULE 1(r) OF CPC, AGAINST THE ORDER DATED 7.09.2026 PASSED IN MISC.NO688/2025 ON THE FILE OF THE XII ADDITIONAL CITY CIVIL AND SESSIONS JUDGE, BENGALURU CITY (CCH-27), DISMISSING THE PETITION FILED UNDER SECTION 151 OF

CPC READ WITH SECTION 28(1) AND (2) OF THE MEDIATION ACT, 2023.

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

CORAM: HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

ORAL JUDGMENT

Learned counsel for appellants and learned counsel for respondent are present.

2. The objection raised by Registry regarding maintainability is sustained. Consequently, the appeal is held to be not maintainable. Accordingly, the appeal is ***dismissed*** as not maintainable.

3. Liberty is reserved to the appellants to file such proceedings as may be permissible in law before the appropriate Forum.

4. The time spent in agitating the matter before this Court, shall be excluded in accordance with the provisions of the Limitation Act, 1963.

5. Registry shall return the certified copies to the learned counsel for appellants.

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

CPN
List No.: 1 Sl No.: 10