HC-KAR

NC: 2026:KHC:61060
WP No. 32891 of 2026

CNR: KAHC010723182026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 3RD DAY OF NOVEMBER, 2026

BEFORE

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

WRIT PETITION NO. 32891 OF 2026 (GM-CPC)

BETWEEN:

1. M B YASHASWINI @ YASHASWINI
MADANAPALLI
AGED ABOUT 42 YEARS,
WIFE OF MADANAPALLI SREEDHAR,
BABU, HAVING PERMANENT
RESIDENCE AT NO. 10-215/1,
GAJALAKSHMI NAGAR LAYOUT,
AVILALA PANCHAYAT, TIRUPATI
(RURAL), ANDHRA PRADESH 517 507,
REPRESENTED HEREIN BY HER
GENERAL POWER OF ATTORNEY HOLDER,
DR. M B SWAPANTHI,
RESIDING AT NO. 25, SATHYA NILAYA,
2ND CROSS, UDAYANAGARA,
CHIKKALASANDRA,
BENGALURU - 560 061

...PETITIONER

(BY SRI CHETHAN CHANDRASHEKAR, ADVOCATE FOR
SRI KASHYAP N. NAIK, ADVOCATE(VC))

Digitally signed by VINUTHA B S
Location: High Court of Karnataka

AND:

1. M/S R K ENTERPRISES
(DESCRIBED IN THE PLAINT
INCORRECTLY AS M/S SRK ENTERPRISES),
A PARTNERSHIP FIRM HAVING ITS

OFFICE AT NO. 336, 16TH A MAIN,
36TH CROSS, 4TH T BLOCK,
JAYANAGAR, BENGALURU - 560041,
REPRESENTED HEREIN
BY ITS PARTNERS,
1.MR. B. N. KESHAVA AND
2.MR. M. RAJU PUJARI

…RESPONDENT

(VIDE ORDER DATED 03.11.2026 NOTICE TO RESPONDENT IS DISPENSED WITH)

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASHING AND SETTING ASIDE THE ORDER DATED 13.10.2026 PASSED BY THE LD. XXX ADDITIONAL CITY CIVIL AND SESSIONS JUDGE, BENGALURU (CCH-31) IN O.S. NO.7456/2026 (ANNEXURE - A) ETC.

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

The petitioner has filed the present writ petition challenging the order dated 13.10.2026 passed by the XXX Additional City Civil and Sessions Judge, Bengaluru, in O.S. No. 7456/2026, whereby the parties have been directed to maintain *status quo* in respect of the suit schedule property.

2. Learned counsel appearing for the petitioner submits that the Trial Court lacks jurisdiction to entertain the suit, as the dispute is triable by the Commercial Court. In this regard, the petitioner has filed an application under Order VII Rule 11 of the Code of Civil Procedure, 1908, seeking rejection of the plaint on the ground of lack of jurisdiction. However, without considering the said application, the Trial Court proceeded to pass an interim order directing the parties to maintain *status quo*.

3. Heard the learned counsel for the petitioner and perused the material on record.

4. Having regard to the limited nature of interference sought in this writ petition, issuance of notice to the respondents is dispensed with.

5. The petitioner has raised a jurisdictional objection by way of an application filed under Order VII Rule 11 of the Code of Civil Procedure, 1908, questioning the maintainability of the suit before the Trial Court. The question as to whether the dispute falls within the jurisdiction of the Commercial Court is

required to be considered by the Trial Court in the first instance while adjudicating the said application. Accordingly, this Court refrains from expressing any opinion on the said issue.

6. However, pending consideration of the jurisdictional objection, the rights and interests of the parties are required to be preserved. In that view of the matter, this Court finds no ground to interfere with the order directing the parties to maintain status quo at this stage.

7. Having regard to the jurisdictional objection raised by the petitioner, the Trial Court is directed to consider and dispose of I.A. No. 4, filed under Order VII Rule 11 CPC, expeditiously and in accordance with law.

8. Accordingly, the following:

ORDER

I. The writ petition is ***disposed of*** with a direction to the Trial Court to consider and dispose of I.A. No. 4, filed under Order VII Rule 11 CPC, raising the question of maintainability of the suit on the

ground of jurisdiction, as expeditiously as possible and in accordance with law.

II. The order of *status quo* passed by the Trial Court shall remain undisturbed.

Sd/-
(K. V. ARAVIND)
JUDGE

VN
List No.: 2 Sl No.: 17