HC-KAR

NC: 2026:KHC:61418
WP No. 32927 of 2026

CNR: KAHC010728862026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 4TH DAY OF NOVEMBER, 2026

BEFORE

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

WRIT PETITION NO. 32927 OF 2026 (GM-CPC)

BETWEEN:

1. SMT. SWETHA M.,
   D/O K. MADDURAPPA,
   W/O PURUSHOTHAM M.,
   AGED ABOUT 35 YEARS,
   R/AT NO.1880, 18TH MAIN,
   41ST 'C' CROSS, 4TH BLOCK,
   JAYANAGAR, BENGALURU - 560 041.

...PETITIONER

(BY SRI. N. KUMAR, ADVOCATE)

AND:

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

1. SRI. OMPRAKASH SELVAM
   S/O P.K. SUNDARAM,
   AGED ABOUT 55 YEARS,
   R/AT NO.353, 4TH CROSS,
   12TH MAIN, HSR LAYOUT,
   5TH SECTOR, BENGALURU - 560 102.

2. SRI. ASHOK,
   AGED ABOUT 35 YEARS,
   R/AT NO.404, YARGAL,
   VIJAYAPURA - 586 123.
   ALSO PRESENTLY RESIDING AT

YELLUKUNTE VILLAGE, BEGUR HOBLI,
BENGALURU SOUTH TALUK,
BENGALURU - 560 102.

3. SMT. RESHMA TALAGERI,
W/O ASHOK,
AGED ABOUT 28 YEARS,
R/AT NO.404, YARGAL,
VIJAYAPURA - 586 123.
ALSO PRESENTLY RESIDING AT
YELLUKUNTE VILLAGE, BEGUR HOBLI,
BENGALURU SOUTH TALUK,
BENGALURU - 560 102.

…RESPONDENTS

(V/O DTD: 04/11/2026 NOTICE TO RESPONDENTS IS DISPENSED WITH)

THIS WP IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECTING THE VII ADDL. CITY CIVIL AND SESSIONS JUDGE, BENGALURU (CCH-19) TO RECEIVE AND CONSIDER THE APPLICATION DATED 16.10.2026 FILED BY THE PETITIONER UNDER SECTION 151 OF CPC SEEKING EXTENSION OF THE INTERIM ORDER DATED 29.08.2026 IN O.S.NO.6342/2026, VIDE ANNEXURES-F, AND TO PASS ORDERS THEREON IN ACCORDANCE WITH LAW FORTHWITH AND 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 limited grievance in the present petition is that the Trial Court has failed to extend the temporary injunction granted by its order dated 29.08.2026.

2. Learned counsel appearing for the petitioner submits that defendant Nos. 2 and 3 voluntarily appeared before the Trial Court even prior to service of notice and filed an application under Order XXXIX Rule 4 of the CPC. It is further submitted that, in compliance with Order XXXIX Rule 3 of the CPC, notice was issued to defendant No. 1, who is a formal party. It is contended that, in the absence of steps being taken for service of notice on defendant No. 1, the temporary injunction in operation ought to have been extended insofar as defendant Nos. 2 and 3 are concerned. Learned counsel further submits that an application seeking extension of the interim order has been filed and that the same ought to be directed to be considered by the Trial Court.

3. Considered the submissions made by learned counsel for the petitioner.

4. In view of the limited nature of the interference proposed by this Court, issuance of notice to the respondents is unnecessary and is accordingly dispensed with.

5. There is no impediment to the Trial Court considering the application seeking extension of the temporary injunction granted on 29.08.2026 and subsequently extended on 13.10.2026 and 15.10.2026.

6. The Trial Court is directed to consider the application filed in the pending I.A. seeking extension of the interim order originally granted by order dated 29.08.2026.

7. It is submitted that the next date of hearing before the Trial Court is 20.11.2026. In view of the directions issued hereinabove, the petitioner is at liberty to seek advancement of the hearing before the Trial Court for consideration of the application seeking extension of the interim order.

8. Such an application shall be considered by the Trial Court on the same date.

9. With the above observations, the writ petition stands ***disposed of***.

Sd/-
(K. V. ARAVIND)
JUDGE

DDU
List No.: 1 Sl No.: 21