HC-KAR

NC: 2026:KHC:62422
WP No. 34566 of 2026

CNR: KAHC010757362026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 11TH DAY OF NOVEMBER, 2026

BEFORE

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

WRIT PETITION NO. 34566 OF 2026 (GM-CPC)

BETWEEN:

1. M/S. JAI KISAN TRADERS
A PROPRIETORSHIP CONCERN,
NO.2-76/1, PAJIMANNU,
MUNDOOR VILLAGE,
PUTTUR TALUK,
DAKSHINA KANNADA 574202
REPRESENTED ITS PROPRIETOR
MR. YATHISHA K.,
S/O BALAKRISHNA GOWDA,
AGED ABOUT 40 YEARS.

...PETITIONER

(BY SRI. GOVINDARAJU K., ADVOCATE)

Digitally signed by VIJAYA P
Location: High Court of Karnataka

AND:

1. MR. ADHEEKSH RAI
S/O A. DINAKARA RAI,
AGED ABOUT 27 YEARS,
R/AT ASHIRVAD HOUSE BELIYOORKATTE,
BALNADU VILLAGE, PUTTUR TALUK,
DAKSHINA KANNADA.

2. M/S ASHMI COMFORTS,
A REGISTERED PARTNERSHIP FIRM,
BAPPALIGE, BY-PASS ROAD, PUTTUR,
DAKSHINA KANNADA,

REPRESENTED BY ITS
MANAGING PARTNER,
MR. SANTHOSH KUMAR SHETTY.

…RESPONDENTS

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

THIS WP IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECTING THE PRINCIPAL CIVIL JUDGE AND JMFC, PUTTUR TO DISPOSE OFF THE IA NO. II FOR TEMPORARY INJUNCTION FILED UNDER ORDER 39 RULE 1 AND 2 CPC FILED BY THE 1ST RESPONDENT/ PLAINTIFF IN O.S. NO. 324/2025 ON MERITS WITHIN TIME LIMIT FRAMED BY THIS HONBLE COURT IN ACCORDANCE WITH LAW VIDE ANNEXURE-A 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 prayer in the writ petition is for a direction to the Trial Court to dispose of I.A. No. II filed under Order XXXIX Rules 1 and 2 of the CPC.

2. Learned counsel for the petitioner/defendant No. 2 submits that the suit has been instituted seeking the relief of

injunction and that an application under Order XXXIX Rules 1 and 2 of the CPC was filed along with the suit. The Trial Court granted an ex parte temporary injunction on 20.11.2025, which continues to operate until further orders. Thereafter, the petitioner filed the written statement and objections to the application filed under Order XXXIX Rules 1 and 2 of the CPC on 28.03.2026.

2.1 It is submitted that the Trial Court has not considered the objections filed by the petitioner and has been delaying the disposal of the said application.

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

4. Having regard to the limited nature of the interference proposed by this Court, issuance of notice to the respondents is unnecessary. Accordingly, notice to the respondents is dispensed with.

5. Once objections are filed to an application, the same is required to be considered expeditiously. There are no justifiable reasons for the delay in considering the objections filed in

March 2026. In the circumstances, the Trial Court is directed to consider the objections filed by the petitioner and dispose of I.A. No. II filed under Order XXXIX Rules 1 and 2 of the CPC, within one month from the next date of hearing before the Trial Court.

Accordingly, the writ petition stands ***disposed of***.

SD/-
(K. V. ARAVIND)
JUDGE

VP
List No.: 1 Sl No.: 19