HC-KAR
CNR: KAHC010762952026

NC: 2026:KHC:62241
WP No. 34478 of 2026

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. 34478 OF 2026 (GM-CPC)

BETWEEN:

1. SRI. LALITH AGRAWAL (HUF)
   A HINDU UNDIVIDED FAMILY,
   REPRESENTED BY ITS KARTA,
   SRI. LALIT AGRAWAL,
   S/O. LATE SRI PAWAN AGRAWAL,
   AGED ABOUT 43 YEARS,
   RESIDING AT NO. 43283,
   PRESTIGE FALCON CITY,
   KONANAKUNTE CROSS,
   BENGALURU SOUTH TALUK,
   BENGALURU - 560 062.

...PETITIONER

(BY SRI. ANGAD KAMATH, ADVOCATE)

Digitally signed by VIJAYA P
Location: High Court of Karnataka

AND:

1. SMT. ROOPA
   W/O. SRI. VIJAY KUMAR,
   D/O. SRI. JAYANNA,
   AGED ABOUT 38 YEARS,

2. SMT. MAMATHA
   W/O. SRI. PRASANNA KUMAR,

D/O. SRI. JAYANNA,
AGED ABOUT 35 YEARS,

3. SRI. SHIVASHANKAR
S/O. SRI. JAYANNA,
AGED ABOUT 33 YEARS,

4. SRI. ARUN KUMAR
S/O. SRI. JAYANNA,
AGED ABOUT 31 YEARS,

R1 TO R4 ARE RESIDING AT
K.G. GOLLARAPALYA,
BIDADI HOBLI,
RAMANAGARA TALUK,
BENGALURU SOUTH DISTRICT.

5. SRI. JAYANNA
S/O. LATE SRI. NARASIMHAIAH,
AGED ABOUT 58 YEARS,

6. SMT. JAYALAKSHMAMMA
W/O. SRI. JAYANNA,
AGED ABOUT 54 YEARS,

R5 AND R6 ARE RESIDING AT
K.G. GOLLARAPALYA,
BIDADI HOBLI,
RAMANAGARA TALUK,
BENGALURU SOUTH DISTRICT.

7. SRI. S. M. JALALUDDEEN
S/O. LATE SRI. S. M. SHAHIB KHAN,
AGED ABOUT 89 YEARS,
RESIDING AT NO. 1483,

27TH CROSS, 24TH MAIN,
BANASHANKARI 2ND STAGE,
BENGALURU - 560 070.

8. SMT. P. MANGALESHWARI
W/O. SRI. M. S. PALANICHAMI,
AGED ABOUT 71 YEARS,
RESIDING AT NO. 3054,
8TH MAIN,
NEAR BANASHANKARI POST OFFICE,
B.S.K. 2ND STAGE,
BIDARAHALLI, BENGALURU - 560 070.

…RESPONDENTS

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

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE PRL. SENIOR CIVIL JUDGE AND C.J.M., RAMANAGARA TO HEAR AND DISPOSE OF I.A. OF THE YEAR 2026 FILED BY THE PETITIONER UNDER ORDER VII RULE 11(A) AND (D) OF THE CODE OF CIVIL PROCEDURE, 1908 IN O.S. NO. 203/2023, WITHIN AN OUTER LIMIT OF FOUR WEEKS FROM THE DATE OF RECIEPT OF COPY OF THE ORDER OF THIS HON'BLE COURT AND ETC,.

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

CORAM: HON'BLE MR. JUSTICE K. V. ARAVIND

ORAL ORDER

The limited prayer in the present writ petition is for a direction to the Trial Court to consider the application filed under Order VII Rule 11(a) and (d) of the CPC expeditiously.

2. Learned counsel appearing for the petitioner submits that the suit is one for partition and separate possession and that no cause of action arises for instituting the suit. In view of the same, an application seeking rejection of the plaint was filed on 17.04.2026. However, the said application has not yet been considered by the Trial Court.

3. Considered the submissions made by learned counsel of the petitioner and perused the material on record.

4. In view of the limited direction proposed to be issued by this Court, notice to the respondents is unnecessary and is accordingly dispensed with.

5. It is evident from the order sheet that consideration of the application filed under Order VII Rule 11(a) and (d) of the CPC has been deferred by the Trial Court on more than six

occasions. This Court finds no compelling reason for such repeated deferment.

6. When an application questioning the maintainability of the suit is filed, it is appropriate that the same is considered on priority. Such consideration would not only avoid unnecessary harassment to the parties but also prevent the parties from being subjected to proceedings in a suit which may otherwise be found to be not maintainable.

7. In that view of the matter, the Trial Court is directed to expedite consideration of the application filed under Order VII Rule 11(a) and (d) of the CPC and dispose of the same within an outer limit of eight weeks from today.

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

SD/-
(K. V. ARAVIND)
JUDGE

DDU/List No.: 2 Sl No.: 16