

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF APRIL, 2019

BEFORE

THE HON' BLE MR. JUSTICE B. VEERAPPA

WRIT PETITION Nos. 20410/2019 & 20488/2019 (GM-CPC)

BETWEEN:

GHAGANE AVIATION PVT. LTD.,
A COMPANY INCORPORATED UNDER
THE COMPANIES ACT, 2013,
HAVING REGISTERED OFFICE AT NO.L-150,
AGR PLAZA, 5TH MAIN ROAD,
6TH SECTOR, HSR LAYOUT,
BENGALURU-560 102,
REPRESENTED BY ITS DIRECTOR,
MR. RAMESH MOPIDEVI.

... PETITIONER

(BY SRI VAIBAV M. IYENGAR, ADVOCATE FOR
SRI S. SUSHANTH VENKATESH PAI, ADVOCATE)

AND:

1. MR. PREM KUMAR,
SON OF MR. VENUGOPAL,
AGED ABOUT 40 YEARS,
RESIDING AT NO.104,
KUMARI FERNS APARTMENT,
3RD MAIN, ITI LAYOUT,
HOSAPALYA,
BENGALURU-560 068.
2. EFPL SUPPORT PVT. LTD.,
A COMPANY REGISTERED UNDER THE
COMPANIES ACT, 2013,
HAVING REGISTERED OFFICE AT NO.104,
KUMARI FERNS APARTMENT,
3RD MAIN, ITI LAYOUT,
HOSAPALYA,

BENGALURU-560 068,
REPRESENTED BY ITS DIRECTOR,
MRS. SRIDEVI.

3. MRS. SRIDEVI
WIFE OF PREM KUMAR,
AGED MAJOR,
RESIDING AT NO.104,
KUMARI FERNS APARTMENT,
3RD MAIN, ITI LAYOUT,
HOSAPALYA,
BENGALURU-560 068,
4. MR. SILVER JULIAN D' SOUZA
SON OF OSWALD D SOUZA,
AGED ABOUT 48 YEARS,
RESIDING AT R-502,
ORCHID BLOCK, PURVA PARK,
MSO COLONY, COXTOWN,
BENGALURU-560 005.
5. MR. SAI SESH NAG
SON OF B. SREENIVASULU,
AGED ABOUT 25 YEARS,
RESIDING AT NO. 6-3,
TB. ROAD, KALIKIRI,
CHITTOR, ANDRA PRADESH-517 234.

ALSO AT
A-109, RICHMOND PRIDE APARTMENTS,
BHOMMASANDRA-JIGINI LINK ROAD,
BENGALURU-560 095.
6. MR. YERRA DHEERAJ
SON OF Y. N. SHYAM,
AGED ABOUT 25 YEARS,
RESIDING AT NO. 8,
GALLI, MYLAR GADDA,
SECUNDERABAD,
SITAPHALMANDI,
HYDERABAD-500 061.

ALSO AT
A-109, RICHMOND PRIDE APARTMENTS,

BHOMMASANDRA-JIGINI LINK ROAD,
BENGALURU-560 095.

... RESPONDENTS

...

THESE WRIT PETITIONS ARE FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO SET ASIDE THE ORDER DATED 27.04.2019 PASSED BY THE LEARNED XXXVIII ADDITIONAL CITY CIVIL & SESSIONS JUDGE, CITY CIVIL COURT, BENGALURU (CCH-39) ON I.A.NOS.1 & 2 IN O.S.NO.3362 OF 2019 VIDE ANNEXURE-A;

THESE WRIT PETITIONS COMING ON FOR PRELIMINARY HEARING THIS DAY, THE COURT MADE THE FOLLOWING:

ORDER

Sri Vaibhav M Iyengar for Sri S. Sushanth Venkatesh Pai, learned Counsel representing the petitioners, after arguing the matter for some time files a memo for withdrawal of the writ petitions with liberty to the petitioners to approach the trial Court on 28.5.2019.

2. In view of the memo, writ petitions are dismissed as withdrawn with liberty as prayed as prayed for.

3. In the meanwhile, the petitioner-plaintiff to ensure service of summons on the applications on defendants and if the defendants file their objections on that day to the applications, the trial Court shall consider the same at the earliest as contemplated under Order XXXIX Rule 3A of the Code of Civil Procedure.

**Sd/-
Judge**

Nsu/-