



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 31ST DAY OF AUGUST, 2024

BEFORE

THE HON'BLE MR JUSTICE R DEVDAS

WRIT PETITION NO.23825 OF 2024 (GM-CPC)

BETWEEN:

M/S NAGA CONSTRUCTIONS
REP BY ITS MANAGING PARTNER
ARJUN SELVAKUMAR
S/O SELVAKUMAR
AGED ABOUT 25 YEARS,
R/AT NO. 242/3, 18th CROSS,
7th MAIN, SADASHIVANAGAR,
BANGALORE 560 80

...PETITIONER

(BY MS. NIKHITHA N., ADVOCATE FOR
SRI. GANESHA K., ADVOCATE)

AND:

SRI B SURESH CHANDRA
AGED ABOUT 56 YEARS,
R/AT NO. 68, 10th MAIN,
13th CROSS, MALLESHWARAM
BANGALORE 56003

...RESPONDENT

THIS W.P. IS FILED UNDER ARTICLE 227 OF THE
CONSTITUTION OF INDIA PRAYING TO DIRECT THE TRIAL
COURT TO DISPOSE OF THE IA NO.1 AND 2 IN O.S.NO.
26368/2023 BY FIXING A STIPULATED TIME PERIOD MARKED
AS ANNEX-B AND E.

Digitally signed
by JUANITA
THEJESWINI
Location: HIGH
COURT OF
KARNATAKA



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

CORAM: HON'BLE MR JUSTICE R DEVDAS

ORAL ORDER

Notice to the respondent is not necessary for the
following reasons;

Learned counsel for the petitioner submits that the petitioner filed the suit in O.S. No.26368/2023 for permanent injunction and along with the plaint I.A.No.1 was filed under Order XXXIX Rules 1 and 2 of CPC seeking ex-parte temporary injunction to restrain the defendants from interfering with the peaceful possession and seeking a direction not to obstruct the plaintiff in carrying out the construction work in the suit schedule property during the pendency of the suit. Learned counsel submits that defendant had entered appearance, has filed written statement and objections to I.A.No.1 and defendant also filed I.A.No.2 seeking an order of temporary injunction against the plaintiff. The trial court heard I.A.No.2 filed by



the defendant but the trial court is yet to hear the defendant on I.A.No.1. Therefore, the learned counsel prays that necessary direction may be issued to the trial court to consider I.A.No.1 and dispose of the same within a time frame.

2. Having regard to the innocuous prayer made by the learned counsel for the petitioner/plaintiff, the writ petition stands ***disposed of***, with a direction to the LXXIII Addl. City Civil and Sessions Judge (CCH 74), M.H.Unit, Bengaluru, to consider and dispose of I.A.No.1 filed by the plaintiff as expeditiously as possible and at any rate within a period of three weeks from the date of receipt of copy of this order.

Ordered accordingly.

**Sd/-
(R DEVDAS)
JUDGE**

KLY
CT: JL