



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF MARCH, 2025

BEFORE

THE HON'BLE MR JUSTICE H.T. NARENDRA PRASAD

WRIT PETITION NO. 2013 OF 2025 (GM-CPC)

BETWEEN:

1. M/S D J ENTERPRISES
PROPRIETORSHIP CONCERN
HAVING ITS OFFICE AT NO. 406 AND 407
KIADB SOMPURA INDUSTRIAL AREA
DABASPET, NELAMANGALA TALUK
BENGALURU RURAL DISTRICT-562123
REPRESENTED BY ITS PROPRIETOR
SRI ABHISHEK
S/O DEVARAJ.
2. M/S JAYALAKSHMI ENTERPRISES
PROPRIETORSHIP CONCERN
HAVING ITS OFFICE AT NO. 406 AND 407
KIADB SOMPURA INDUSTRIAL AREA
DABASPET, NELAMANGALA TALUK
BENGALURU RURAL DISTRICT - 562123
REPRESENTED BY ITS PROPRIETRIX
SMT ASHWINI D
D/O DEVARAJ.

...PETITIONERS

(BY SRI. RAKESH B BHATT., ADVOCATE)

AND:

DATA STREAMS INC
A PROPRIETORSHIP CONCERN





REPRESENTED BY ITS PROPRIETRIX
LALITHA GOWDA
D/O GANGAPPA
AGED ABOUT 58 YEARS
NO.29, 3D CROSS, 2ND MAIN
VINAYAKA LAYOUT, HEBBAL KEMPAPURA
BENGALURU-560024
ALSO AT: NO.1628, 1ST A CROSS
CHANDRA LAYOUT, VIJAYANAGAR
BENGALURU-560040.

...RESPONDENT

(BY SRI. SHESHADRI N S., ADVOCATE)

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO SET ASIDE THE ORDER DATED: 20.01.2025 IN O.S 13/2025 ON IA NO.3 PASSED BY XI ADDL. DISTRICT AND SESSION JUDGE (COMMERCIAL COURT) BENGALURU RURAL AT BENGALURU (ANNEXURE-A) AND ETC.

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

CORAM: HON'BLE MR JUSTICE H.T. NARENDRA PRASAD

ORAL ORDER

This writ petition is filed by the plaintiffs under Article 227 of the Constitution of India, challenging the order dated 20.01.2025 passed on IA No.3 in O.S.No.13/2025 by the XI Additional District and Sessions Judge, Commercial Court, Bengaluru, whereby the trial court refused to grant ex-parte injunction order.



2. The plaintiffs filed a suit for declaration and injunction. Along with the plaint they filed an application under Order 39 Rules 1 and 2 of CPC. The trial court, by order dated 20.01.2025 issued summons to the defendant but refused to grant ex-parte injunction order. Being aggrieved, the petitioners are before this Court.

3. This Court, by order dated 27.01.2025 issued notice to the respondent and directed the parties maintain status-quo in respect of the suit schedule property.

4. On service of notice, the respondent appeared through counsel.

5. Learned counsel for the parties submit that, now, all the parties are represented through counsel before the trial court and defendant has already filed written statement and objections to the IA.

6. In view of the above, without expressing any opinion on the merits of the case, the following order is passed:



- (i) The writ petition is disposed of.
- (ii) The trial court is directed to dispose of IA No.3 filed by the plaintiffs under Order 39 Rules 1 and 2 of CPC, as expeditiously as possible, not later than 29th April 2025, in accordance with law, without being influenced by the observations made in the course of this order.
- (iii) The interim order granted by this Court on 27.01.2025 shall continue till the disposal of the application.
- (iv) In view of disposal of the petition, all pending applications stand disposed of.

Sd/-
(H.T. NARENDRA PRASAD)
JUDGE