



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 31ST DAY OF DECEMBER, 2024

BEFORE

THE HON'BLE MR JUSTICE HEMANT CHANDANGOUDAR

WRIT PETITION NO. 35780 OF 2024 (GM-CPC)

BETWEEN:

MR. SHERIN VATTAPARA BOVAS
S/O LATE BOVAS V JOHN
AGED ABOUT 53 YEARS,
NO.306, TROPICAL DWELLINGS
VEERABADARA LANE, BASAVANAGAR
BANGALORE NORTH, MARATHAHALLI COLONY,
BANGALORE.

...PETITIONER

(BY SRI. S. BASAVARAJ, SENIOR COUNSEL FOR
SMT. JAITHRA J. NARAYAN, ADVOCATE)

AND:

1. MR. MADHUKAR G ANGUR
AGED ABOUT 61 YEARS
S/O LATE SHRI GUDDAPPA ANGUR
NO.803, G-BLOCK, MANTRI ESPANA
NEAR SAKRA WORLD HOSPITAL
OUTER RING ROAD, KARIYAMMANNA AGRAHAARA,
BELLANDUR, BANGALORE-560 103.
2. MRS. PRIYANKA B S
W/O MR. MADHUKAR G. ANGUR
AGED ABOUT 32 YEARS
NO.803, G-BLOCK, MANTRI ESPANA
NEAR SAKRA WORLD HOSPITAL
OUTER RING ROAD, KARIYAMMANNA AGRAHAARA,
BELLANDUR, BANGALORE-560 103.
3. M/S. ALLIANCE UNIVERSITY
(A PRIVATE UNIVERSITY ESTABLISHED UNDER AN
ACT OF THE GOVERNMENT OF KARNATAKA NAMELY





ALLIANCE UNIVERSITY ACT, 2010)
HAVING OPERATIONS OFFICE AT
NOS.2 AND 3. 36TH MAIN, DOLLARS SCHEME,
BTM I STAGE, BANGALORE-560 068
AND HAVING ITS CAMPUS AT
CHIKKAHAGADE
ANEKAL CHANDAPURA ROAD,
BANGALORE BY ITS REGISTRAR.

4. MR. SATCHIDANANDA RAO MACHINENI
SIO SHRIRAO MACHINENI
AGED ABOUT 60 YEARS
RIO HOUSE NO.7.1.79 AND 80.
FLAT NO 506, ANANDA NILAYAM,
AMEERPET, HYDERABAD-560 016.
5. MR. RAVINDRA REDDY
S/O LATE MR. K. YELLA REDDY
AGED ABOUT 51 YEARS,
RIO NO. 8-2-293/82/519F
ROAD NO.28, BANJARA HILLS
HYDERABAD-560 034.
6. MOHAN KUMAR B.L
AGED ABOUT 45 YEARS,
R/AT NO.2A/5, 4TH CROSS,
MESHWARA NAGAR,
JAYANAGAR 1ST BLOCK
EAST BANGALORE-560 011.
7. MR. RAJENDRUDU B
FATHERS NAME NOT KNOWN,
AGED MAJOR, #72, 3RD CROSS. GAURAVNAGAR,
KOTHANUR ROAD, J.P. NAGAR
7TH PHASE, BANGALORE-560 078.
8. MR. K.S. VENKATESHAPPA
S/O SEEMANNA,
AGED ABOUT 63 YEARS
C/O MADHUKARANGUR,
R/AT NO.235, 5TH BLOCK, JAYANAGAR.
9. MR. C.S. RAMESH,
FATHERS NAME NOT KNOWN



AGED MAJOR, NO.18/13,
58TH CROSS, 6TH MAIN,
IV BLOCK, RAJAJINAGAR,
BANGALORE-560 010.

10. MR. SRIPADMARKANDE,
FATHERS NAME NOT KNOWN
AGED MAJOR, 106,
"VISHWA VALLABHA APARTMENTS",
41 CROSS, NAVODAYA NAGAR
JP NAGAR 7TH PHASE
BANGALORE-560 078.
11. MR. B.K. RAVINDRA,
FATHERS NAME NOT KNOWN,
AGED MAJOR, DOOR NO.2-107/1
GANDHIJI ROAD, MARY-HILL,
MANGALORE-575 008.
12. MR. NIRANJANA K.R
FATHERS NAME NOT KNOWN,
AGED MAJOR, DOOR NO-2-107/1
GANDHIJI ROAD, MARY-HILL,
MANGALORE-575 008.
13. MR. NIRANJANA K.R
FATHERS NAME NOT KNOWN,
AGED MAJOR, 22,
SRI RAGHAVENDRANILAYAM, 7TH MAIN,
12TH CROSS, SHREYAS COLONY,
JP NAGAR 7TH PHASE,
BANGALORE-560 078.
14. MR. KIRAN HEGDE,
FATHERS NAME NOT KNOWN,
AGED MAJOR, 101,
ANEKAL- CHANDAPURA ROAD,
KAVALAHOSAHALLI,
BANGALORE-562106.
15. MS. DEEPA LADAWA
FATHERS NAME NOT KNOWN.
AGED MAJOR,
DESHPANDE FOUNDATIONS 3RD FLOOR,



AKSHAY PLAZA
AKSHAY COLONY
NEAR CHETAN COLLEGE,
SIRUR PARK ROAD, HUBLI-580 021.

16. MR. RAHUL N. BORAWANE,
S/O NARAYANA BORAWANE,
AGED MAJOR, "MATRUCHAYA NEAR AGARWAL
HOSPITAL, SANGHRSHCHOWK,
CHANDAN NAGAR PUNE-411 014.
 17. MR. SYED THOUSIF,
S/O MR. BABU AHMED, AGED MAJOR,
SIRAJ LAYOUT ROAD,
ROAD NO.5, OPPOSITE KIDZEE SCHOOL,
MARGANDANAHALLI VILLAGE,
HULIMANGALA POST, ELECTRONIC CITY,
PHASE 1, BENGALURU - 560 100.
 18. MR. SOMANNA,
FATHER'S NAME NOT KNOWN,
AGED MAJOR/ABOUT 50 YEARS
C/O MADHUKARANGUR,
R/AT NO.235, 5TH BLOCK, JAYANAGAR,
BENGALURU CITY- 560 041.
 19. MR. CHANDRASHEKAR,
FATHER'S NAME NOT KNOWN,
AGED ABOUT 55 YEARS
C/O MADHUKARANGUR, R/AT NO.235,
5TH BLOCK, JAYANAGAR,
BENGALURU CITY-560041.
- ...RESPONDENTS
- (BY SRI. H.K. SRIVASTHAVA, ADVOCATE FOR R1 & R2;
SRI. M.S. SHYAM SUNDAR, SENIOR COUNSEL FOR
SRI. CYRIL PRASAD PAIS)

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF THE
CONSTITUTION OF INDIA PRAYING TO DIRECTING THE
PRINCIPAL DISTRICT AND SESSIONS COURT, BANGALORE
DISTRICT, BANGALORE TO TAKE ON RECORD THE
APPLICATION/S OF THE PETITIONER SEEKING TO RECALL THE
STAGE AND FILE HIS OBJECTIONS STATEMENT AND SUBMIT HIS
ARGUMENTS IN MISC PETITION NO.1118/2024 FIELD BY THE



RESPONDENTS 1 AND 2 SEEKING WITHDRAWAL OF ORIGINAL SUIT NO.3932/2017 FROM THE FILE OF THE HON'BLE DISTRICT AND SESSIONS JUDGE, CCH-44, CITY CIVIL COURT, BANGALORE AND TRANSFER TO ANY OTHER COURT AND ETC.

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

CORAM: HON'BLE MR JUSTICE HEMANT CHANDANGOUDAR

ORAL ORDER

The petitioner's grievances is that although the petitioner-is arrayed as defendant No.13 in O.S.No.3932/2017, the defendant Nos.1 and 2 filed a petition under Section 24 of CPC, and sought for dispensation of service of notice to the petitioner. Thereafter, the Trial Court without hearing the petitioner has posted the matter for judgment.

2. Therefore, the petition is disposed of reserving liberty with the petitioner to file an application to reopen the case, and if such an application is filed, the Trial Court to allow the application and to pass an appropriate order after hearing the petitioner.

The Trial Court shall not pronounce the judgment without hearing the petitioner.

Ordered accordingly.

**Sd/-
(HEMANT CHANDANGOUDAR)
JUDGE**

HR