

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition for Special Leave to Appeal (C) No.13679/2022

[Arising out of impugned final judgment and order dated 02-06-2022 in CRP No. 130/2021 passed by the High Court of Karnataka at Bengaluru]

THE CORRESPONDENCE RBANMS EDUCATIONAL INSTITUTION Petitioner(s)

VERSUS

B GUNASHEKAR & ANR.

Respondent(s)

[HEARD BY : HON. J.B. PARDIWALA AND HON. R. MAHADEVAN, JJ.]
IA No. 109067/2022 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

Date : 16-04-2025 This matter was called on for pronouncement of judgment today.

For Petitioner(s) :Ms. Asmita Singh, AOR

For Respondent(s) :Mr. Abraham Mathews, Adv.
Mr. S Shivaprasad, Adv.
Mr. Nishe Rajen Shonker, AOR

1. Hon'ble Mr. Justice R.Mahadevan pronounced the judgment of the Bench comprising Hon'ble Mr. Justice J.B. Pardiwala and His Lordship.
2. Leave granted.
3. The appeal is allowed in terms of the signed reportable judgment.
4. The relevant part of the signed reportable judgment is as under:-
“(i) This appeal is allowed.

(ii) The impugned judgment of the High Court dated 02.06.2022 and the order of the trial Court dated 11.06.2021 are set aside.

(iii) As a sequel, the application filed under Order VII Rule 11(a) and (d) CPC is allowed.

(iv) The plaint in O.S. No. 25968 of 2018 pending on the file of XIII Additional City Civil and Sessions Judge, Mayohall Unit, Bengaluru, is rejected.

(v) The directions given by us in paragraph 18.1 of this judgment shall be intimated by the Registrars of the High Courts, the Chief Secretaries of the States/Union Territories and the Principal Chief Commissioner of Income Tax Department to the District Judiciary, the officials of the registration department and the jurisdictional officers under the Income Tax Department respectively, so as to facilitate the conduct of periodical audit.

(vi) The parties shall bear their respective costs throughout the proceedings.

(vii) Miscellaneous Application(s), if any, shall stand disposed of.

21. The Registrar (Judicial) is directed to circulate a copy of this Judgment to the Registrar General of all the High Courts, the Chief Secretaries of all the States / Union Territories, and the Principal Chief Commissioner of Income Tax Department, enabling them to communicate the directions issued by this Court for strict compliance."

5. Pending application(s), if any, stand disposed of.

(CHANDRESH)
ASTT. REGISTRAR-cum-PS

(POOJA SHARMA)
COURT MASTER (NSH)

(Signed reportable judgment is placed on the file)