



**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 25<sup>TH</sup> DAY OF JUNE, 2026**

**BEFORE**

**THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI**

**WRIT PETITION NO. 15281 OF 2026 (GM-CPC)**

**BETWEEN:**

1. DTWELVE ACCOMMODATIONS  
PRIVATE LIMITED  
A COMPANY INCORPORATED UNDER  
THE COMPANIES ACT, 2013,  
CIN NO. U55900DL2025PTC440780,  
REPRESENTED BY ITS  
AUTHORISED SIGNATORY,  
MR. VINCENT PAUL S.  
REGD OFFICE CABIN NO. 1,  
FLAT NO. 403, ASHOK BHAWAN 93,  
NEHRU PLACE, NEW DELHI  
CORPORATE OFFICE: 14<sup>TH</sup> FLOOR,  
STANZA LIVING,  
GOOD EARTH TRADE TOWER,  
SECTOR 62,  
GURUGRAM
2. DTWELVE SPACES PRIVATE LIMITED  
A COMPANY INCORPORATED UNDER  
THE COMPANIES ACT, 2013,  
CIN NO. U45309DL2017PTC313505,  
REPRESENTED BY ITS  
AUTHORISED SIGNATORY,  
MR. VINCENT PAUL S.  
REGD OFFICE: CABIN NO. 1,  
FLAT NO. 403, ASHOK BHAWAN 93,  
NEHRU PLACE, NEW DELHI  
CORPORATE OFFICE: 14<sup>TH</sup> FLOOR,  
STANZA LIVING,  
GOOD EARTH TRADE TOWER,  
SECTOR 62,





GURUGRAM

...PETITIONERS

(BY SRI.BHARATHKUMAR V., ADVOCATE FOR  
SRI.H.PAVANACHANDRA SHETTY, ADVOCATE)

**AND:**

1. NARAYANA HRUDAYALAYA LIMITED  
A COMPANY INCORPORATED  
UNDER THE COMPANIES ACT, 2013,  
CIN NO. L85110KA2000PLC027497,  
REPRESENTED BY ITS DIRECTOR,  
DR. NITIN MANJUNATH.  
REGISTERED OFFICE258/A,  
BOMMASANDRA INDUSTRIAL AREA,  
HOSUR ROAD,  
BENGALURU-560 099.
  
2. NARAYANA HRUDAYALAYA FOUNDATION  
A TRUST UNDER  
THE INDIAN TRUSTS ACT, 1882,  
REPRESENTED BY ITS TRUSTEE,  
MR. VIREN PRASAD SHETTY  
OFFICE NO. 258/A,  
NARAYANA HEALTH CITY,  
BOMMASANDRA INDUSTRIAL AREA,  
ANEKAL TALUK,  
BENGALURU-560 099.

...RESPONDENTS

(BY SRI.MANU R., ADVOCATE)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO DIRECT TO SET ASIDE AND QUASH THE IMPUGNED ORDER DATED APRIL 28, 2026, PASSED ON IA NOS. 1 AND 2 IN COM. O.S. NO. 174/2026 BY THE XI ADDITIONAL DISTRICT AND SESSIONS JUDGE (COMMERCIAL COURT), BENGALURU RURAL, TO THE EXTENT THAT IT REFUSES TO GRANT AN EX-PARTE AD-INTERIM INJUNCTION.



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

CORAM: HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

**ORAL ORDER**

The present writ petition is filed aggrieved by the orders passed in Com.OS.No.174/2026 dated 28.04.2026 by the XI Addl. District & Sessions Judge (Commercial Court), Bengaluru Rural District, whereby the trial court has issued suit summons and emergent notice on I.A.No.1 and 2 to the defendants without considering the IA filed by the petitioners seeking an ad-interim injunction.

2. Learned counsel for the petitioner submits that the trial court ought to have passed an order on I.A.No.1 and 2 and the trial Court ought not have issued summons to the defendants. They have relied on the order passed by the Co-ordinate Bench of this Court in ***Dhalitha Vividha Gramodyoga Kaigarika Sahakara Sanga Niyamitha (R) Vs Samatha Sainika Dal SSD***, arising out of ***W.P.No.35488/2025(GM-CPC) dated 09.12.2025***, whereby Co-ordinate Bench of this Court has observed as follows:



***"6. This Court does not find any need or necessity to issue notice to the respondent-defendant for the reason that the petitioner is questioning the non-passing of the order on the application in IA.No.1, wherein the trial Court has neither passed any order for grant of an ad interim ex parte order of temporary injunction or for rejection of the same.***

***7. When an application is filed under Order XXXIX Rules 1 and 2 of CPC by the plaintiff along with the plaint seeking an ad interim ex parte order of temporary injunction, it becomes the duty and obligation of the trial Court to consider the same and pass suitable orders either granting or rejecting the ad interim ex parte order of temporary injunction. This Court in the case of Karnataka State Cricket Association vs. Mr.Shashidhara A.V. in WP.No.33725/2025 [Decided on 17.11.2025] has made certain observations and guidelines as to how the trial Court has to deal with an application filed under Order XXXIX Rules 1 and 2 of CPC. It is not optional for the trial Court to merely issue notice to the defendant before passing an interim order of temporary injunction against the defendant.***

***8. The trial Court will also have to consider judgments of the Hon'ble Apex Court in the cases of Shiv Kumar Chadha vs. Municipal Corporation of Delhi and others reported in (1993)3 SCC 161, Time City Infrastructure and Housing Limited Lucknow vs. State of U.P. and***



***Others reported in 2025 SCC Online SC 1674 and the judgment of the Coordinate Bench of this Court in the case of Vedant Fashions Pvt. Ltd., vs. Smt.Rajul Devi reported in 2014 SCC OnLine Kar 7191 while deciding the application under Order XXXIX Rules 1 and 2 of CPC.***

***9. It is brought to the notice of this Court that notice is yet to be served on the defendant. Therefore, it would be appropriate for this Court to direct the trial Court to decide the application either granting or rejecting an ad interim ex parte order of temporary injunction by providing proper reasons."***

3. Relying on the same, it is submitted that the matter may be remanded back to the trial Court for considering I.A.No.1 on merits.

4. Considering the submission of the learned counsel for the petitioner and in the light of the order passed in ***W.P.No.35488/2025(GM-CPC)*** referred *supra*, trial Court is directed to consider I.A.No.I & 2 filed by the petitioner in accordance with law.

5. Accordingly, this court is passing the following:



**ORDER**

- i. It is submitted that suit is coming up on 29.06.2026, on that day the trial court shall hear I.A.No.1 and 2 and shall dispose of the same in accordance with law.
- ii. Accordingly the writ petition is ***disposed off.***
- iii. Pending I.As., in the petition shall stand closed.
- iv. This court is not proposing to issue notice to the respondents as no adverse order are passed against them.

**SD/-  
(LALITHA KANNEGANTI)  
JUDGE**

TS  
List No.: 2 Sl No.: 18