

ITEM NO.47

COURT NO.17

SECTION IV-A

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

PETITION(S) FOR SPECIAL LEAVE TO APPEAL (C) NO(S). 20730/2024

[Arising out of impugned final judgment and order dated 22-04-2024 in MFA No. 2521/2024 passed by the High Court of Karnataka at Bengaluru]

M/S SAMMYS DREAM LAND CO. PVT. LTD.

PETITIONER(S)

VERSUS

KEMPANNA &amp; ORS.

RESPONDENT(S)

(FOR ADMISSION and IA No.203133/2024-EXEMPTION FROM FILING O.T.  
IA No. 4335/2026 - APPLICATION FOR PERMISSION  
IA No. 203133/2024 - EXEMPTION FROM FILING O.T.  
IA No. 164558/2025 - PERMISSION TO FILE ADDITIONAL  
DOCUMENTS/FACTS/ANNEXURES)

Date : 13-07-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SATISH CHANDRA SHARMA  
HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH

For Petitioner(s) :Mr. Sajan Poovayya, Sr. Adv.  
Mr. Lzafeer Ahmad B. F., AOR  
Ms. Raksha Agarwal, Adv.  
Mr. Palash Maheshwari, Adv.  
Mr. Shubhamarun, Adv.  
Ms. Sindura N Swamy, Adv.  
Mr. Pawan Kant Singh, Adv.

For Respondent(s) :Mr. Jayant K. Mehta, Sr. Adv.  
Mr. Prashant L. Kanal, Adv.  
Ms. Manasvini Jain, Adv.  
Mr. Sajal Jain, AOR

UPON hearing the counsel the Court made the following  
O R D E R

1. The present Special Leave Petition is arising out of impugned final judgment and order dated 22.04.2024 passed by the High Court of Karnataka at Bangalore in Miscellaneous First Appeal No.2521 of 2024.

2. The brief facts of case reveal that in a civil suit, an application was preferred under Order 39 Rules 1 and 2 of CPC and the same was allowed restraining the defendants therein from creating third party rights over the suit property. An appeal was preferred by the defendant No.3-respondent No.1 herein before the High Court and the High Court has declined to interfere with the order, however, the High Court has further ordered that *status quo* in respect of the suit property be maintained pending disposal of the suit. The grievance of the petitioner is that on account of the order of *status quo* the project which was going on over the land in question has come to a stand still and the petitioner suffering great financial loss. On the other hand, Mr. Jayant K. Mehta, learned senior counsel has vehemently argued before this Court that the title of the suit property is in favour of the respondents and, therefore, the order of *status quo* was rightly passed in the matter.

3. This Court after hearing learned counsel for the parties at length is of the opinion that the order passed by the High Court deserves to be modified and it is modified accordingly. The present petitioner will not create any third party right in respect of the suit property nor will exploit the suit property commercially till the civil suits are decided finally as already ordered by the High Court. Both these civil suits have been clubbed together and the trial court shall make all possible endeavour to decide the civil suits in question within a period of six months from today.

4. With aforesaid, the special leave petition stands disposed of.

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

(JAGDISH KUMAR)  
ASTT. REGISTRAR-cum-PS

(KOMAL)  
COURT MASTER (NSH)