

**(2026) 02 KAR CK 0909**

**In the Karnataka High Court, Principal Bench**

**Case No : Writ Petition No. 5593 Of 2026 (GM-CPC)**

L. Sathyanarayana Rao & Ors

APPELLANT

Vs

M/S G P Builders And Developers

RESPONDENT

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**Date of Decision : 19-02-2026**

**Acts Referred:**

**Citation : (2026) 02 KAR CK 0909**

**Hon'ble Judges : S.R. Krishna Kumar, J**

**Bench : Single Bench**

**Advocate : Rajesh Mohale**

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## **Judgement**

S.R. Krishna Kumar, J

1. In this petition, petitioners seek the following reliefs-

(a) Call for records in AA No.4/2026 pending consideration on the file of the Hon'ble Court of III Additional District and Sessions Judge, Shivamogga vide Annexure - A.

(b) Issue a writ in the nature of certiorari or any other appropriate writ or order quashing the impugned order dated 10.02.2026 passed by the Hon'ble Court of III Additional District and Sessions Judge, Shivamogga in AA No.4/2026 vide Annexure A1 and

(c) Pass any other order or orders as this Hon'ble Court be pleased to pass considering the facts and circumstances of the case inclusive of costs in the interest of justice and equity.

2. Learned Senior counsel for the petitioners submits that in the aforesaid application in A.A. No.4/2026, the petitioners having filed an application, IA No.1/2026 for temporary injunction, the trial Court. declined to pass an ad interim order of temporary injunction and directed notice on the main petition to the respondents returnable by 18.02.2026 on which date the respondent entered appearance and took time to file objections and the matter is now posted on

23.02.2026. It is submitted that in view of the urgency involved in the matter since the respondents are putting up illegal and unauthorised construction on the subject property, the present petition may be disposed of directing the trial Court to consider and pass appropriate orders on IA No.1/2026 within a stipulated time frame.

3. Submission is placed on record.

4. Though several contentions have been urged by the petitioners in the present petition, without expressing any opinion on the merits/demerits of the said contentions or the contentions of the respondents, I deem it just and appropriate to dispose of this petition directing the trial Court to consider and pass appropriate orders on IA No.1/2026 within a period of ten days from 23.02.2026.

5. All rival contentions on all aspects of the matter are kept open and no opinion is expressed on the same.