HC-KAR

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 8TH DAY OF JULY, 2026

PRESENT

THE HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE

AND

THE HON'BLE MRS. JUSTICE K.S. HEMALEKHA

CIVIL CONTEMPT PETITION NO.1276 OF 2025

BETWEEN:

1. SMT. MICHAEL RANI
W/O LATE R. RAJANNA,
AGED ABOUT 62 YEARS,
RESIDING AT THAIYA NERALU,
SEEGEHALLI VILLAGE,
K.R. PURAM HOBLI,
BENGALURU EAST TALUK,
PRESENTLY RESIDING AT
FLAT NO.310, TRINITY RESIDENCY,
LOURDU NAGAR MAIN ROAD,
DODDABASAVANAPURA,
VIRGONAGAR POST,
BENGALURU-560 049.

2. SRI. JAMES .R
S/O LATE R. RAJANNA,
AGED ABOUT 43 YEARS,
RESIDING AT THAIYA NERALU,
SEEGEHALLI VILLAGE,
K.R. PURAM HOBLI,
BENGALURU EAST TALUK,
PRESENTLY RESIDING AT
FLAT NO.310, TRINITY RESIDENCY,
LOURDU NAGAR MAIN ROAD,
DODDABASAVANAPURA,
VIRGONAGAR POST,
BENGALURU-560 049.

Digitally signed by C K LATHA
Location: High Court of Karnataka

3. SRI JOHN PETER .R
S/O LATE R. RAJANNA,
AGED ABOUT 40 YEARS,
RESIDING AT THAIYA NERALU,
SEEGEHALLI VILLAGE,
K.R. PURAM HOBLI,
BENGALURU EAST TALUK,
PRESENTLY RESIDING AT
FLAT NO.310, TRINITY RESIDENCY,
LOURDU NAGAR MAIN ROAD,
DODDABASAVANAPURA,
VIRGONAGAR POST,
BENGALURU-560 049.

…COMPLAINANTS

(BY SRI. FAYAZ SAB B.G., ADVOCATE)

AND:

1. SRI. AROKIA SWAMY
S/O LATE RAYAPPA,
AGED ABOUT 65 YEARS,
RESIDING AT NO.46, LOURD NAGAR,
VIRGONAGAR POST, BASAVANAPURA,
BENGALURU-560 049.

SMT. MARIAMMA
SINCE DEAD BY HER LR's.

2. SRI. CRISPIN FERRY,
S/O LATE FELIX GALI,
AGED ABOUT 27 YEARS,
RESIDING AT NO.46, LOURD NAGAR,
VIRGONAGAR POST,
DODDA BASAVANAPURA,
BENGALURU-560 049.

3. MS. JOSEPHINE FREEDA FERRY,
D/O. LATE FELIX GALI,
AGED ABOUT 24 YEARS,
RESIDING AT NO.46, LOURD NAGAR,
VIRGONAGAR POST,
DODDA BASAVANAPURA,
BENGALURU-560 049.

4. M/S.SAMHITHA BUILDERS PRIVATE LIMITED,
A COMPANY INCORPORATED
UNDER COMPANIES ACT, 1956,
REPRESENTED BY ITS
MANAGING DIRECTOR,
MR. R. PRATHAP KUMAR REDDY,
S/O SUBBARANI REDDY,
AGED ABOUT 55 YEARS,
HAVING ITS OFFICE AT ARDEN FAIR,
7TH FLOOR, PAI LAYOUT,
OLD MADRAS ROAD,
BENNIGANAHALLI,
BENGALURU-560 016.

…ACCUSED

(BY SRI. H. RAMACHANDRA, ADVOCATE)

THIS CCC IS FILED UNDER SECTIONS 11 AND 12 OF THE CONTEMPT OF COURTS ACT, PRAYING TO ISSUE SUMMONS, TO THE ACCUSED AND TO DEAL WITH THEM IN ACCORDANCE WITH LAW FOR WILLFULLY AND DELIBERATELY NOT COMPLYING WITH THE ORDER PASSED BY THIS HON'BLE COURT ON 10.12.2024 PASSED IN R.F.A.NO.1975/2024 WHEREIN BOTH THE PARTIES ARE DIRECTED TO MAINTAIN THE STATUES QUO OF THE DISPUTED SIDE OF SOUTHERN PORTION OF THE SUIT SCHEDULE PROPERTY TILL THE NEXT DATE OF HEARING, WHICH AMOUNTS TO AN OFFENCE PUNISHABLE UNDER SECTION 11 & 12 OF THE CONTEMPT ACT, WHICH IS PRODUCED AS ANNEXURE-C, IN THE INTEREST OF JUSTICE AND EQUITY.

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

CORAM: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE
and
HON'BLE MRS. JUSTICE K.S. HEMALEKHA

ORAL ORDER

(PER: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE)

1. The complainants have filed the present complaint alleging willful disobedience of the order dated 10.12.2024 passed in RFA No. 1975/2024.

2. The learned counsel appearing for the accused submits that the appropriate remedy for the complainants is to file an application under Order 39 Rule 2A of the Code of Civil Procedure, 1908 [CPC] as the order, the disobedience of which is alleged, is passed under Order 39 Rule 1 and 2 of CPC.

3. In view of the above, the present complaint is closed, with liberty to the complainants to approach the learned Single Judge in an appropriate application.

Sd/-
(VIBHU BAKHRU)
CHIEF JUSTICE

Sd/-
(K.S. HEMALEKHA)
JUDGE

CKL
List No.: 1 Sl No.: 9