



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 8TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

WRIT PETITION NO. 10964 OF 2026 (GM-CPC)

BETWEEN:

SRI SYED SADIQ AHMED
S/O.NAYAZ AHMED
AGED ABOUT 42 YEARS
R/AT NO. 24. 3RD CROSS
MYSURU ROAD, VINAYAKANAGAR
OLD GUDDADAHALLI, BENGALURU - 560 026.

...PETITIONER

(BY SRI. KRISHNA MURTHY N., ADVOCATE)

AND:

SRI A T PRAKASH
SINCE DEAD REP. BY LEGAL HEIR
SRI. A.V. ANANTH KUMAR
S/O. A.V. VENKATACHALAPATHY
AGED ABOUT 40 YEARS
R/AT NO. 432, 13TH CROSS
14TH MAIN, BSK II STAGE
KAVERINAGAR, BENGALURU - 560 070.

...RESPONDENT

(BY SRI. HALESHA R G., ADVOCATE FOR C/R)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF CERTIORARI OR A WRIT, ORDER OR DIRECTION IN THE NATURE THEREOF, QUASHING THE IMPUGNED ORDER DATED 24.03.2026 PASSED BY THE LXXXII ADDITIONAL CITY CIVIL AND SESSIONS JUDGE, COMMERCIAL COURT (CCH-83), BENGALURU, IN COM EX.NO.886/2025 VIDE ANNEXURE-A ARISING OUT OF COM O.S. NO. 1005/2024, INsofar AS IT





DIRECTS ISSUANCE OF A DELIVERY WARRANT AGAINST THE PETITIONER AND ETC.

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

CORAM: HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

ORAL ORDER

This writ petition is filed under Articles 226 & 227 of the Constitution of India, challenging the order dated 24.03.2026 passed by the LXXXII Additional City Civil and Sessions Judge, Bengaluru, in Com.Ex.No.886/2025, whereby the order of attachment has been passed.

2. For the sake of convenience, parties are referred to as per their ranking before the trial court.

3. The respondent herein claims to be the decree-holder, on the basis of a registered Will executed by Late A.T.Prakash, the original decree-holder in the suit.

4. Since the parties have settled the matter in Com.O.S.No.1005/2024, and as per the said settlement, the judgment debtor has disobeyed the conditions of the settlement, the respondent herein filed an execution



petition, on the basis of which, the trial court has passed the impugned order of delivery warrant.

5. Since, as per the settlement, the petitioner/judgment debtor has to pay a total sum of Rs.3,32,000/- towards rent as on today, learned counsel appearing for the petitioner/judgment debtor submitted that he is ready to deposit the said arrears of rent as per the compromise decree, in a sum of Rs.3,32,000/- and is also ready to pay the monthly rents as per the settlement, henceforth.

6. In view of the above, the following order is passed:

(i) The writ petition is allowed.

(ii) The order dated 24.03.2026 passed by the LXXXII Additional City Civil and Sessions Judge, Bengaluru, in Com.Ex.No.886/2025 is hereby set aside.

(iii) The petitioner shall deposit a sum of Rs.2.00 lakhs by the next date of hearing before the executing



court and the remaining amount of Rs.1,32,000/- by the end of April 2026.

(iv) As submitted by the petitioner, as per the settlement, he shall vacate the premises on 28.02.2027. Till then, he shall continue to deposit the monthly rents regularly.

(v) Handing over the possession pursuant to the settlement will not cause any prejudice to his right to make any claims on the basis of the unregistered Will in any appropriate suit filed, if any.

(vi) If the petitioner fails to deposit the amounts as mentioned above, the order dated 24.03.2026 shall stand restored.

**Sd/-
(H.T. NARENDRA PRASAD)
JUDGE**

CM
LIST NO.: 1 SL NO.: 49