

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 21969/2025

[Arising out of impugned final judgment and order dated 01-08-2025 in WP No. 22528/2025 passed by the High Court of Karnataka at Bengaluru]

HARSHENDRA KUMAR D

Petitioner(s)

VERSUS

KUDLA RAMPAGE & ORS.

Respondent(s)

(IA No. 189377/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT AND IA No. 189378/2025 - EXEMPTION FROM FILING O.T.)

Date : 08-08-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE RAJESH BINDAL
HON'BLE MR. JUSTICE MANMOHAN

For Petitioner(s) :

Mr. Mukul Rohatgi, Sr. Adv.
Mr. Shailesh Madiyal, Sr. Adv.
Mr. S. Rajashekhar, Adv.
Mr. Pai Amit, AOR
Ms. Pankhuri Bhardwaj, Adv.
Mr. Abhiyudaya Vats, Adv.
Mr. Tathagata Dutta, Adv.
Ms. Merin Francis, Adv.
Mr. Anchit Singla, Adv.
Mr. Vineet B. Prasad, Adv.
Mr. Muthu Thangathurai, Adv.
Mr. Keshav Seghal, Adv.

For Respondent(s) : Ms. Pritha Srikumar Iyer, AOR

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

1. The challenge in the present Special Leave Petition is to order dated 01.08.2025 passed by the High Court of Karnataka at Bengaluru in W.P. No. 22528 of 2025.

2. Before the High Court, an interim order dated 18.07.2025 passed in favour of the petitioner by the Trial Court in a civil suit filed by the petitioner, was under challenge.

3. A perusal of the order passed by the High Court shows that while setting aside the interim stay granted to the petitioner in an application filed under Order XXXIX Rule 1 and 2 of the Civil Procedure Code, 1908, the matter has been remitted back for fresh consideration.

4. Considering the contentious issues being raised which, according to Mr. Mukul Rohatgi, learned senior counsel for the petitioner, is affecting the reputation of the petitioner, we direct the Trial Court to decide the application under order XXXIX and Rule 1 and 2 of the Civil Procedure Code, 1908 filed by the petitioner in the suit within two weeks from the next date of hearing.

5. The pleadings be completed by the parties before that date.

6. Needless to add that any observations made by the High Court in the impugned order shall not influence the Trial Court while considering the application for stay afresh, which shall be decided on its own merits.

7. The Special Leave Petition is, accordingly, disposed of.

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

(DEEPAK SINGH)
ASTT. REGISTRAR-cum-PS

(AKSHAY KUMAR BHORIA)
COURT MASTER (NSH)