

IN THE HIGH COURT OF KARNATAKA, PRINCIPAL BENCH AT BENGALURU

DATED THIS ON FRIDAY, 30<sup>TH</sup> DAY OF JANUARY, 2026

PRESENT

HON'BLE MR. VIBHU BAKHRU  
THE CHIEF JUSTICE  
AND

THE HON'BLE MR. JUSTICE C.M. POONACHA

WA NO 1347 OF 2025 (S-RES)

APPELLANTS

1 . AKHILESH ANAND  
S/O ANAND N KOTIAN  
AGED ABOUT 45 YEARS  
R/AT FLAT NO. B-20504  
COMMUNE-1 APARTMENT  
MARSUR, BENGALURU-562106

2 . ADITYA KUMAR  
S/O LATE PRAFULLA CHANDRA JHA  
AGED ABOUT 39 YEARS  
R/AT FLAT NO. C-30706  
COMMUNE-1 APARTMENT  
MARSUR, BENGALURU-562 106

3 . PRAVEEN KUMAR  
S/O SATYENDRA NARAYAN SINGH  
AGED ABOUT 36 YEARS  
R/AT FLAT NO. B 21301  
COMMUNE-1 APARTMENT MARSUR  
BENGALURU-562 106

4 . GOURAV KUMAR  
S/O RAJEEV KUMAR  
AGED ABOUT 29 YEARS  
R/AT FLAT NO. C-41203  
COMMUNE-1 APARTMENT  
MARSUR, BENGALURU-562 106

5 . RAJESH KUMAR SINGH  
S/O AWADHESH KUMAR SINGH  
AGED ABOUT 57 YEARS  
R/AT FLAT NO. E-50703  
COMMUNE-1 APARTMENT  
MARSUR, BENGALURU-562 106

6 . DEEPAK SINHA  
S/O N K P SINHA  
AGED ABOUT 54 YEARS  
R/AT FLAT NO. C-50702  
COMMUNE-1 APARTMENT  
MARSUR, BENGALURU-562 106



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7 . ABHINEET SRIVASTAVA  
S/O SHYAM NARAIN SRIVASTAVA  
AGED ABOUT 37 YEARS,  
R/AT FLAT NO. C-30208,  
COMMUNE-1 APARTMENT,  
MARSUR, BENGALURU-562 106.

8 . BIKASH KUMAR  
S/O MAHESHWARI SHARAN  
AGED ABOUT 52 YEARS  
R/AT FLAT NO. D 40702  
COMMUNE-1 APARTMENT  
MARSUR, BENGALURU-562 106

9 . NIRAJ KUMAR SINHA  
S/O ADITYA PRASAD SINHA  
AGED ABOUT 50 YEARS  
R/AT FLAT NO.C-30908  
COMMUNE-1 APARTMENT  
MARSUR, BENGALURU-562106

10 . DHIRAJ KUMAR SINHA  
S/O ADITYA PRASAD SINHA  
AGED ABOUT 50 YEARS,  
R/AT FLAT NO. B-20308,  
COMMUNE-1 APARTMENT,  
MARSUR, BENGALURU-562106

(APPELLANT NO.3 TO 10  
REPRESENTED BY POA HOLDERS  
APPELLANT NOS. 1 AND 2)

11 . COMMUNE -1 COMMUNE RESIDENTS  
WELFARE ASSOCIATION (R)  
(A SOCIETY/ASSOCIATION  
REGISTERED UNDER KARNATAKA  
SOCIETIES REGISTRATION ACT)  
(REGD. VIDE DRB3/SOR/487/2022-2023  
REGD OFF 2<sup>ND</sup> FLOOR, CLUB HOUSE  
THE COMMUNE-1, MARASUR VILLAGE  
KASABA HOBLI, ANEKAL TALUK  
BENGALURU-562 106  
REPRESENTED BY ITS SECRETARY  
AKHILESH ANAND  
S/O ANAND N KOTIAN  
AGED ABOUT 45 YEARS

(BY SRI. BEENA P. K., ADVOCATE FOR APPELLANTS  
VS.

RESPONDENTS

1 . STATE OF KARNATAKA  
REP BY ITS SECRETARY  
DEPARTMENT OF CO-OPERATIVE SOCIETIES  
VIKAS SOUDHA, AMBEDKAR VEEDHI  
BENGALURU-560 001



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2 . THE REGISTRAR OF  
CO-OPERATIVE SOCIETIES  
NO. 146, 8TH CROSS,  
SAHAKARA SOUDHA,  
MARGOSA ROAD, MALLESHWARAM,  
BENGALURU-560 003.

3 . DISTRICT REGISTRAR OF SOCIETIES  
ZONE-3, BENGALURU DISTRICT,  
NO. 146, 8TH CROSS, MALLESHWARAM,  
SAHAKARA SOUDHA,  
MARGOSA ROAD,  
BENGALURU-560 003.

4 . KARNATAKA REAL ESTATE  
REGULATORY AUTHORITY (RERA)  
NO.1/14, 2ND FLOOR,  
SILVER JUBILEE BLOCK,  
UNITY BUILDING BACKSIDE,  
CSI COMPOUND, 3RD CROSS,  
MISSION ROAD,  
BENGALURU-560 027,  
REP. BY ITS SECRETARY.  
(DELETED V/O/D 10.12.2024)

5 . THE SUB-REGISTRAR  
ATTIBELE SUB-REGISTRAR OFFICE  
NO. 430, ANNA BUILDING,  
HENNAGARA GATE, BOMMASANDRA  
INDUSTRIAL AREA, HOSUR MAIN ROAD  
ATTIBELE, BENGALURU-560 105

6 . COMMUNE PROPERTIES INDIA PVT. LTD.,  
A COMPANY INCORPORATED UNDER THE  
PROVISIONS OF THE COMPANIES ACT. 1956  
HAVING ITS REGISTERED OFFICE AT NO. 823,  
21ST MAIN ROAD, 8TH BLOCK,  
KORAMANGALA,  
BENGALURU-560 095,  
REP. BY ITS AUTHORIZED REPRESENTATIVE  
MR. A. X. ANTONY.

7 . COMMUNE BUYERS' WELFARE ASSOCIATION  
COMMUNE 1 APARTMENTS,  
CLUB HOUSE, MARASUR VILLAGE,  
CHANDAPURA- ANEKAL ROAD,  
ANEKAL TALUK, BENGALURU-562 106,  
REP. BY ITS SECRETARY.  
(A SOCIETY REGISTERED UNDER  
THE SOCIETIES REGISTRATION ACT)



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8 . COMMUNE 1 APARTMENT  
CO-OPERATIVE SOCIETY LTD.,  
(A SOCIETY REGISTERED UNDER  
THE KARNATAKA CO-OPERATIVE  
SOCIETIES ACT)  
MARSURU VILLAGE, KASABA HOBLI,  
ANEKAL TALUK, BENGALURU-562 106,  
REP. BY ITS SECRETARY.

9 . ANAND PATIL  
S/O. LATE BAPUGOUDA PATIL,  
AGED ABOUT 45 YEARS,  
R/AT FLAT NO. 41303 AND 20406,  
D BLOCK, COMMUNE 1, MARSUR,  
CHANDAPURA-ANEKAL ROAD,  
BENGALURU-562 106.

10 . SUSHIL TAJES SONAS  
S/O PREMAKUMAR SOANS  
AGED ABOUT 37 YEARS  
R/AT FLAT NO. 50202  
E BLOCK, COMMUNE 1  
MARSUR, CHANDAPURA  
ANEKAL ROAD , BENGALURU 562106

11 . P N KRISHNA KUMAR  
S/O K K UNNI NAIR  
AGED ABOUT 53 YEARS  
R/AT FLAT NO 41302 D BLOCK  
COMMUNE 1, MARSUR  
CHANDAPURA ANEKAL ROAD  
BENGALURU - 562106

12 . GAURAV BARUA  
S/O. B. C. BARUA,  
AGED ABOUT 25 YEARS  
R/AT FLAT NO. 41304,  
D BLOCK, COMMUNE 1,  
MARSUR, BENGALURU-562 106  
CHANDAPURA-ANEKAL ROAD,

13 . HARIPRASAD  
S/O. VASUDEVAN VENGATASAMY  
AGED ABOUT 43 YEARS  
R/AT FLAT NO. 40202, D BLOCK  
COMMUNE 1, MARSUR,  
CHANDAPURA-ANEKAL ROAD  
BENGALURU-562 106

14 . SAJAN SHAAJI  
S/O. SHAAJI JI  
AGED ABOUT 43 YEARS  
R/AT FLAT NO. 40304  
D BLOCK, COMMUNE 1  
MARSUR, CHANDAPURA-ANEKAL ROAD  
BENGALURU-562 106.



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15 . RAJESH SUBRAMANIAN  
S/O. SUBRAMANIAN  
AGED ABOUT 51 YEARS  
R/AT FLAT NO. 20102, B BLOCK  
COMMUNE - 1, MARSUR,  
CHANDAPURA-ANEKAL ROAD,  
BENGALURU-562 106.

16 . RAHUL KUMAR SINGH  
S/O SUDHIR KUMAR SINGH  
AGED ABOUT 40 YEARS  
R/AT FLAT NO. B 20105  
COMMUNE-1 APARTMENT  
MARSUR, BENGALURU -562106

17 . SANDEEP KUMAR AGARWAL  
S/O SANTOSH AGARWAL  
AGED ABOUT 40 YEARS  
R/AT FLAT NO. C-30307  
COMMUNE-1 APARTMENT MARSUR,  
BENGALURU 562 106

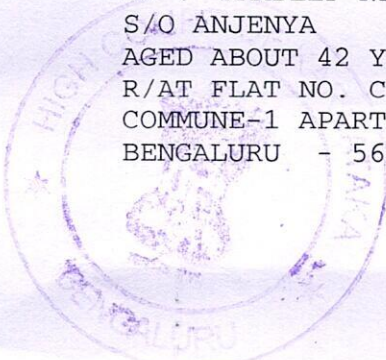
18 . PRADEEP SHARMA  
S/O HIRALAL SHARMA  
AGED ABOUT 49 YEARS  
R/AT FLAT NO. C-31203  
COMMUNE-1 APARTMENT  
MARSUR, BENGALURU - 562 106

19 . SANDIPAN BHATTACHARJEE  
S/O SAMIR HANDRA BHATTACHARJEE  
AGED ABOUT 41 YEARS  
R/AT FLAT NO. C-40302  
COMMUNE-1 APARTMENT, MARSUR,  
BENGALURU - 562 106

20 . KAMTA PRASAD  
S/O LAXMI PRASAD  
AGED ABOUT 44 YEARS  
R/AT FLAT NO. B-21002  
COMMUNE-1 APARTMENT MARSUR,  
BENGALURU - 562106

21 . ADITYA M YADAV  
AGED ABOUT 55 YEARS,  
R/AT FLAT NO. B-21101,  
COMMUNE-1 APARTMENT, MARSUR,  
BENGALURU - 562106

22 . PRADEEP NIMBALGUNDI  
S/O ANJENYA  
AGED ABOUT 42 YEARS,  
R/AT FLAT NO. C-20508,  
COMMUNE-1 APARTMENT, MARSUR,  
BENGALURU - 562 106



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23 . SRINIVAS RAO V.  
S/O VENNAM HUSSAIN  
AGED ABOUT 36 YEARS  
R/AT FLAT NO. E-51104  
COMMUNE-1 APARTMENT, MARSUR,  
BENGALURU - 562106

24 . RITESH SINGHANIA  
S/O SWAR MAL SINGHANIA,  
AGED ABOUT 43 YEARS,  
R/AT FLAT NO. E-51302,  
COMMUNE-1 APARTMENT, MARSUR,  
BENGALURU - 562 106

25 . RAHUL GUPTA  
S/O RAJENDRA PRASAD GUPTA  
AGED ABOUT 34 YEARS  
R/AT FLAT NO. C-31306  
COMMUNE-1 APARTMENT, MARSUR  
BENGALURU-562 106.

26 . SUMANTHA MOITRA  
S/O BISWANATH MOITRA  
AGED ABOUT 64 YEARS,  
R/AT FLAT NO. B-21204  
COMMUNE-1 APARTMENT, MARSUR,  
BENGALURU-562106.

27 . RAMAKRISHNA BALAJI.K  
S/O K.SREEDHAR  
AGED ABOUT 39 YEARS  
R/AT FLAT NO. C-31302,  
COMMUNE-1 APARTMENT, MARSUR,  
BENGALURU-562 106

28 . ABHISHEK SINHA  
S/O AMAR SINHA  
AGED ABOUT 45 YEARS  
R/AT FLAT NO. B-20902  
COMMUNE-1 APARTMENT, MARSUR,  
BENGALURU - 562 106

29 . MININATH P  
S/O BABAN SIDHU PACHARNE  
AGED ABOUT 48 YEARS,  
R/AT FLAT NO. C-30205  
COMMUNE-1 APARTMENT,  
MARSUR, BENGALURU-562 106

30 . DURGA PRASAD SHARMA  
S/O DEVENDRA KUMAR SHARMA  
AGED ABOUT 35 YEARS,  
R/AT FLAT NO. E-51304,  
COMMUNE-1 APARTMENT,  
MARSUR, BENGALURU-562 106



- 31 . VIJETH SANKETHI K  
S/O KESHAVA PRAKASH  
AGED ABOUT 40 YEARS,  
R/AT FLAT NO. C-30403,  
COMMUNE-1 APARTMENT,  
MARSUR, BENGALURU-562 106.
- 32 . HARSHA N  
S/O NARASHIMA SHETTY  
AGED ABOUT 43 YEARS,  
R/AT FLAT NO. B-21107,  
COMMUNE-1 APARTMENT,  
MARSUR, BENGALURU-562 106.
- 33 . SANDEEP K.T.  
S/O. K. DHARMAPALAN  
AGED ABOUT 50 YEARS  
R/AT FLAT NO. B-21203  
AND C-30901, COMMUNE-1 APARTMENT  
MARSUR, BENGALURU-562 106.
- 34 . ALOK KUMAR VERMA  
S/O. LATE MADAN PRASAD VERMA,  
AGED ABOUT 60 YEARS  
R/AT FLAT NO. E-50901  
COMMUNE-1 APARTMENT  
MARSUR, BENGALURU-562 106.
- 35 . AYUSH SINHA  
S/O. ARUN KUMAR  
AGED ABOUT 35 YEARS  
R/AT FLAT NO. D-40902  
COMMUNE-1 APARTMENT  
MARSUR, BENGALURU-562 106.
- 36 . NILAKANTHA JENA  
S/O. NANDA KISHORE JENA  
AGED ABOUT 45 YEARS  
R/AT FLAT NO. C-30903  
COMMUNE-1 APARTMENT,  
MARSUR, BENGALURU-562 106.
- 37 . V SUNDAR RAJ  
S/O VENKATASWAMY  
AGED ABOUT 42 YEARS  
R/AT FLAT NO. C 31308  
COMMUNE 1 APARTMENT  
MARSUR, BENGALURU-562 106
- 38 . ASHOK KUMAR SINGH  
S/O NARENDRANATH SINGH  
AGED ABOUT 55 YEARS  
R/AT FLAT NO. B 20204  
COMMUNE 1 APARTMENT  
MARSUR, BENGALURU - 562 106



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39 . ADITYA SAXENA  
S/O HARI SHANKAR  
AGED ABOUT 42 YEARS  
R/AT FLAT NO. B 20806  
COMMUNE 1 APARTMENT  
MARSUR, BENGALURU-562 106

40 . SWATI TULSIAN  
AGED ABOUT 40 YEARS  
W/O SANDEEP KUMAR AGARWAL  
R/AT FLAT NO. D 40403  
COMMUNE 1 APARTMENT  
MARSUR, BENGALURU-562106

41 . BISWARANJAN SAHOO  
S/O BANKANIDHI SAHOO  
AGED ABOUT 38 YEARS  
R/AT FLAT NO. C 30107  
COMMUNE 1 APARTMENT  
MARSUR, BENGALURU-562 106

42 . ROOPA PRAKASH  
S/O PRAKASH B C  
AGED ABOUT 35 YEARS  
R/AT FLAT NO. C 30107  
COMMUNE 1 APARTMENT  
MARSUR, BENGALURU-562 106

43 . SHASHYENDRA SINGH GAUTHAM  
S/O VIRENDRA SINGH GAUTAM  
AGED ABOUT 40 YEARS  
R/AT FLAT NO. C 31005  
COMMUNE 1 APARTMENT  
MARSUR, BENGALURU- 562106

44 . DIPANJAN MONDAL  
S/O DR G C MONDAL  
AGED ABOUT 37 YEARS  
R/AT FLAT NO. D 41102  
COMMUNE 1 APARTMENT  
MARSUR, BENGALURU-562 106

45 . ABHISHEK ANAND  
S/O ANAND N KOTIAN  
AGED ABOUT 43 YEARS  
R/AT FLAT NO B 20704  
COMMUNE 1 APARTMENT  
MARSUR, BENGALURU-562106

46 . SRITAMA MAJUMDAR  
W/O DIPTARKO  
AGED ABOUT 38 YEARS  
R/AT FLAT NO. B 20206 A 10203  
COMMUNE 1 APARTMENT  
MARSUR, BENGALURU-562 106



47 . NITIN JUYAL  
S/O DINESH CHANDRA JUYAL  
AGED ABOUT 36 YEARS  
R/AT FLAT NO. C 30507  
COMMUNE 1 APARTMENT  
MARSUR, BENGALURU 562106

48 . J GOPINATHAN  
S/O JEEVANANDAM  
AGED ABOUT 45 YEARS  
R A/T FLAT NO D40903  
COMMUNE 1 APARTMENT  
MARSUR, BENGALURU-562106

49 . MALAY BISWAS  
S/O LATE ANIL BISWAS  
AGED ABOUT 55 YEARS  
R A/T FLAT NO D41101  
COMMUNE 1 APARTMENT  
MARSUR, BENGALURU-562106

50 . ARPITA GANGULY  
W/O RAJIV KUMAR CHAURASIA  
AGED ABOUT 42 YEARS  
R A/T FLAT NO B21303  
COMMUNE 1 APARTMENT  
MARSUR, BENGALURU-562106

51 . AZAM KHAN  
S/O ADAM KHAN  
AGED ABOUT 60 YEARS  
R A/T FLAT NO.B 20602  
COMMUNE 1 APARTMENT  
MARSUR, BENGALURU-562106

52 . TULSIRAM PONDRATI  
S/O PONDRATI APPARO  
AGED ABOUT 44 YEARS  
R/AT FLAT NO C30405  
COMMUNE 1 APARTMENT  
MARSUR, BENGALURU-562106

53 . GAURAW KUMAR SRIVASTAVA  
S/O BIPIN BHIHARI SRIVASTAVA  
AGED ABOUT 38 YEARS  
R A/T FLAT NO C30306  
COMMUNE 1 APARTMENT  
MARSUR, BEGNLURU-562106

54 . DIPTI SINHA  
D/O NAWAL KISHORE PRASAD SINHA  
AGED ABOUT 52 YEARS  
R/AT FLAT NO. D-40602,  
COMMUNE-1 APARTMENT,  
MARSUR, BENGALURU-562106



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55 . PRATEEK KUMAR JAIN  
S/O PRAVEEN KUMAR JAIN  
AGED ABOUT 35 YEARS  
R/AT FLAT NO. C-30406  
COMMUNE-1 APARTMENT,  
MARSUR, BENGALURU-562106

56 . AKANKSHA SAHAY  
W/O VIJAYANT ANAND  
AGED ABOUT 35 YEARS  
R/AT FLAT NO.B-20505  
COMMUNE-1 APARTMENT,  
MARSUR, BENGALURU-562106

57 . SUNITA SAHAY  
S/O AJAY KUMAR SAHAY  
AGED ABOUT 68 YEARS,  
R/AT FLAT NO.B-20402  
COMMUNE-1 APARTMENT,  
MARSUR, BENGALURU-562106

58 . RAJNISH KUMAR  
S/O LATE SHRI BRAJNANDAN PRASAD  
AGED ABOUT 51 YEARS  
R/AT FLAT NO. C-31303  
COMMUNE-1 APARTMENT  
MARSUR, BENGALURU 562106.

59 . SUMAN SATPATHY  
S/O GIRISH PRASAD SATIPATHY  
AGED ABOUT 44 YEARS  
COMMUNE-1 APARTMENT  
R/AT FLAT NO. C-31305  
MARSUR, BENGALURU-562 106

60 . RAVI PRASAD SINHA  
S/O ADITYA PRASAD SINHA  
AGED ABOUT 55 YEARS  
R/AT FLAT NO. C-30808  
COMMUNE-1 APARTMENT  
MARSUR, BENGALURU-562106

61 . GAURAV VERMA  
S/O SUBASH CHANDRA PRASAD  
AGED ABOUT 40 YEARS  
R/AT FLAT NO. C-31303  
COMMUNE-1 APARTMENT  
MARSUR, BENGALURU - 562 106

62 : SANJAY KUMAR SHARMA  
AGED ABOUT 61 YEARS  
R/AT FLAT NO. C-30506  
COMMUNE-1 APARTMENT  
MARSUR, BENGALURU-562106



63 . ANURAG SAURABH  
S/O RATNESHWAR PRASAD SINHA  
AGED ABOUT 37 YEARS  
R/AT FLAT NO. B-21103  
COMMUNE-1 APARTMENT  
MARSUR, BENGALURU-562106

(Copy served GA for R1 to R3 & R5, as per R(J) Circular No.97/2021  
dated 17.09.2021)

(Sri. T.E. Satish & another, Advocate C/R8)

WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO  
SET ASIDE THE ORDER DATED 30.06.2025 PASSED IN THE W.P.NO.27341/2024.

**I.A.2/2025 FOR DIRECTION**

The advocate for appellant has filed the above IA under Section 151 of CPC praying that this Hon'ble Court may be pleased to issue a direction or order to the R6 builder to Form and Register an Association under the Karnataka Apartment Ownership Act, 1972, in the commune 1 apartment complex to maintain and manage the commune 1 apartment complex, for the reasons stated therein.

**I.A.3/2025 FOR STAY**

The advocate for appellants has filed the above IA under Rule 28 of the Writ Proceedings Rules 1977 r/w Section 151 of CPC, praying that this Hon'ble Court may be pleased to stay the operation of the order dated 30.06.2025 passed by the learned Single Judge in WP No.27341/2024 (CS-RES), for the reasons stated therein.

Read the interim order granted on 02.12.2025.

After hearing, the Court made the following Order:-

**ORAL ORDER**

1. List on 16.03.2026.
2. Parties are directed to maintain status quo as on today.
3. Interim order granted earlier shall continue to operate till the next date of hearing.



SD/-  
CHIEF JUSTICE

SD/-  
JUDGE

"C O P Y"

*[Handwritten signature]*  
Assistant Registrar  
Writ Unit-VI

(S)date:04.02.2026(1+2)

TRUE COPY  
*[Handwritten signature]*  
Section Officer  
High Court of Karnataka  
Bengaluru-560 001