

KABC030737812025



**IN THE COURT OF THE CHIEF METROPOLITAN
MAGISTRATE, BENGALURU**

Present:

Sri.Rangegowda C

B.A.L., L.L.B.

Chief Judicial Magistrate,
Bengaluru.

Dated this the 30th day of April, 2026

Crl. Misc. No.8356/2025

Petitioner : Punjab National Bank
Circle office, No.26-27
Raheja Towers, M.G.Road
Bangalore – 560 001
Represented by its Chief Manager/
Authorised Officer
Sri.Somashankar s/o Ramachandrappa
aged about 56 years

(By Smt Sowmya R, Advocate)

- Versus -

Respondent: 1. Sridhar N (Borrower)
S/o Narayana, Major

2. Roopa Sridhar (Co-borrower)
w/o Sridhar N, Major

Both are r/at No.543/146,
3rd Cross, Basavalingappa Nagar
Bilekahalli, Bannerghatta Road
Bangalore 560 076

ORDERS ON PETITION U/S 14 OF SARFAESI ACT

The petitioner Bank has filed this petition U/Sec.14 of SARFAESI Act seeking assistance of the court to take the physical possession of the mortgaged property/secured asset.

2. The case of petitioner is that the respondent No.1 borrower and respondent No.2 co-borrower have borrowed loan ₹49,90,000/- (Rupees Forty Nine Lakhs Ninety Thousand only) on 21-12-2015 and Rs.10,00,000/- (Rupees Ten Lakhs only) on 17-09-2021 by mortgaging schedule property. The respondents No.1 and 2 have executed the necessary documents. The respondents No.1 and 2 defaulted payments and hence

the loan account is classified as NPA. The respondents No.1 and 2 did not turn up to make payment inspite of issuance of demand notice. The possession notice was also issued to the respondents No.1 and 2 and published in daily newspapers as mandated under law. Hence, the petitioner prays for allowing of the petition.

3. The petitioner has produced all the original documents along with CERSAI Addition of Security Interest Challan. The authorised officer has filed affidavit reiterating the contents of the petition.

4. Heard the learned counsel for petitioner and perused the materials on record and the written arguments filed by the ld. Counsel for the petitioner.

5. It is clear from the records that the petitioner is a secured creditor and the schedule property is a secured asset. The secured asset is situated within the

jurisdiction of this court. As per the documents produced by the petitioner bank, the respondent No.1 and 2 borrower and co-borrower have obtained loan for a sum of ₹49,90,000/- (Rupees Forty Nine Lakhs Ninety Thousand only) on 21-12-2015 and Rs.10,00,000/- (Rupees Ten Lakhs only) on 17-09-2021. The respondents No.1 and 2 have executed Memorandum of deposit of title deed. The respondents No.1 and 2 failed to make payment and thus become chronic defaulters. The account of respondents No.1 and 2 was classified as Non Performing Asset on 30.04.2025. The amount due as on 07.05.2025 is ₹69,61,627.88/- plus interest. Demand Notice issued to respondents u/s 13(2) of the Act on 07-05-2025. The said notice was sent through RPAD to the respondents No.1 and 2. The said demand notice was also published in two newspapers i.e., The New Indian Express and Kannada Prabha on 17-06-

2025. Even after issuance of demand notice the respondents No.1 and 2 have neither replied nor complied with the notice. Hence, the possession notice u/s 13(4) of the Act was issued on 21-08-2025. The notice was affixed in the schedule property. The said possession notice was published in two newspapers i.e., The New Indian Express and Kannada Prabha on 23-08-2025.

6. In spite of issuance of demand notice and possession notice the respondents have not cleared the loan or handed over the possession of the schedule property. Therefore, on perusal of the above materials on record it becomes clear that the petitioner has complied with the mandatory provisions of SARFAESI Act. Therefore, this court has come to the conclusion that the petitioner is entitled to take possession of the

secured asset, through Court Commissioner by making inventory. Accordingly, the following order is passed.

ORDER

Petition filed by the petitioner under section 14 of SARFAESI Act is hereby allowed.

The petitioner is entitled to take possession of petition schedule property as per law.

Mr.Nagendra Babu V N Advocate (Roll No. KAR/502/2008) is hereby appointed as Court Commissioner to take possession of petition schedule property from the respondents and hand it over to the petitioner within **three months** from today.

If necessary court commissioner may request jurisdictional police for assistance, for which the jurisdictional police shall provide necessary assistance to court commissioner in taking possession of

petition schedule property and court commissioner also may break open the lock, if necessary, by drawing mahazar and shall prepare an inventory and report the same to the court.

The commissioner fee is fixed at ₹10,000/- and same shall be directly paid to the Court Commissioner and after filing of memo in that regard by petitioner, office to issue commissioner warrant.

Office to return original documents to the petitioner under proper endorsement and identification.

(Dictated to the stenographer directly on computer, typed by her, the print out is verified and corrected by me, signed and then pronounced by me in the open Court on this the 30th day of April, 2026)

(Rangegowda C.)
Chief Judicial Magistrate
Bengaluru City

SCHEDULE

All that piece and parcel of property bearing Site No.146, formed in Sy.No.185, situated at 3rd cross, Basavalingappa Nagar, Bilekahalli Village, Begur Hobli, Bengaluru South Taluk, property now come under the BBMP limits new BBMP Khata No.752/779/703/577/554/146 m ub ward Bi, 1881 PID No.188-W0087-4-1 measuring East to West 40 feet, and North to South 30 feet in all measuring 1200 sq.ft., and bounded on:

East by : Property No.127

West by : Site No.155

North by : Site No.145

South by : Road

**(Rangegowda C.)
Chief Judicial Magistrate
Bengaluru City**

30-04-2026

(Orders pronounced in the open court vide separate order)

ORDER

Petition filed by the petitioner under section 14 of SARFAESI Act is hereby allowed.

The petitioner is entitled to take possession of petition schedule property as per law.

Mr.Nagendra Babu V N Advocate (Roll No. KAR/502/2008) is hereby appointed as Court Commissioner to take possession of petition schedule property from the respondents and hand it over to the petitioner within **three months** from today.

If necessary court commissioner may request jurisdictional police for assistance, for which the jurisdictional police shall provide necessary assistance to court commissioner in taking possession of petition schedule property and court commissioner also may break open the lock,

if necessary, by drawing mahazar and shall prepare an inventory and report the same to the court.

The commissioner fee is fixed at ₹10,000/- and same shall be directly paid to the Court Commissioner and after filing of memo in that regard by petitioner, office to issue commissioner warrant.

Office to return original documents to the petitioner under proper endorsement and identification.

CJM, Bengaluru City