



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE ASHOK S.KINAGI

WRIT PETITION NO. 40 OF 2025

BETWEEN:

1. SMT. K.V. PUSHPALATHA
W/O SRI KRISHNAPPA K V.,
AGED ABOUT 50 YEARS,
R/O NO.288/2, WARD NO.18,
KANDAVARA BAGILU,
CHIKKABALLAPUR TOWN,
CHIKKABALLAPUR DISTRICT - 562 101.

...PETITIONER

(BY SRI. SIDDANOORU VISHWANATHA, ADVOCATE)

AND:

1. M/S UNION BANK OF INDIA
(A NATIONALIZED BANK UNDER THE BANK
NATIONALIZATION ACT, 1969)
ASSET RECOVERY BRANCH,
BENGALURU NORTH,
NO. 635 C, (NEW NO.25/2)
1ST MAIN ROAD, E BLOCK,
2ND STAGE, RAJAJINAGAR
DR. RAJKUMAR ROAD,
BENGALURU - 560010





REP. BY ITS CHIEF MANAGER.

2. SRI. YUNUS SALEEM
S/O SRI D M LIYAQATH,
AGED ABOUT 48 YEARS,
R/O NO. 2863/1865,
WARD NO.26,
MUNICIPAL LAYOUT,
CHIKKABALLAPUR TOWN,
CHIKKABALLAPUR - 562 101.
3. SRI. KRISHNAPPA K V
S/O SRI VENKATAPATHY,
AGED ABOUT 54 YEARS,
R/O NO. 288/2, WARD NO.18,
KANDAVARA BAGILU,
CHIKKABALLAPUR TOWN,
CHIKKABALLAPUR DISTRICT - 562101.

...RESPONDENTS

(BY SRI. PRABHU RAO C.B., ADVOCATE FOR C/R1)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO SET ASIDE / QUASH THE POSSESSION NOTICE DATED 02.01.2025 ISSUED BY THE RESPONDENT No.1 IN RESPECT OF THE SCHEDULE PROPERTY AS PER ANNEX-A HOLDING THE SAME AS ILLEGAL.

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

CORAM: HON'BLE MR. JUSTICE ASHOK S.KINAGI



ORAL ORDER

1. The petitioner has filed this petition challenging the possession notice on 02.01.2025 issued by respondent No.1 in respect of the schedule property, as per Annexure 'A'.
2. Learned counsel for the petitioner, after arguing the matter for some time, files a memo seeking leave of the Court to withdraw the writ petition, with a liberty to challenge Annexures-A and B, before the Debts Recovery Tribunal.
3. The Memo is placed on record.
4. The writ petition is ***dismissed as withdrawn*** with the aforesaid liberty.
5. The petitioner is entitled for the benefit of Section 14 of the Limitation Act, provided the petitioner approaches the Debts Recovery Tribunal within 15 days from today.



6. All the contentions of the parties are kept open.

Sd/-
(ASHOK S.KINAGI)
JUDGE

RK
CT:KHV
List No.: 1 SI No.: 28