



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO.146 OF 2025 (GM-DRT)

BETWEEN:

1. M/S. SRI MANJUNATH FABRICATION WORKS
NO.1192, 7TH CROSS, 17TH MAIN,
MUNESHWARA BLOCK
BENGALURU, KARNATAKA-560026
REP. BY MR. M.MUNISWAMY
PROPRIETOR
S/O MANAPPA
AGED ABOUT 55 YEARS
2. MRS. M. SELVI
GUARANTOR
W/O M. MUNISWAMY
AGED ABOUT 50 YEARS

Digitally signed
by DEVIKA M
Location: HIGH
COURT OF
KARNATAKA

BOTH THE PETITIONERS ARE
R/AT NO.22, 6TH CROSS, 12TH MAIN
RAGHAVENDRA BLOCK, SRINAGAR
BENGALURU-560050.

...PETITIONERS

(BY SRI. VIKYATH B., ADVOCATE)

AND:

1. UNION BANK OF INDIA
ULSOOR ROAD BRANCH,
NO.21, ULSOOR ROAD
OPP. TELEPHONE EXCHANGE
BENGALURU, KARNATAKA-560042
REPRESENTED BY ITS
AUTHORISED SIGNATORY (MANAGER).



2. DEEPAK M.S.,
S/O SHIVANNA
AGED MAJOR, R/AT NO.57/2,
12 MAIN, 5TH CROSS,
RAGAVENDRA BLOCK, SRINAGAR
BENGALURU SOUTH-560050

...RESPONDENTS

(BY SRI. PRABHU RAO C.B., ADVOCATE FOR R1;
R2 - SERVED AND UNREPRESENTED)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO SET ASIDE THE AUCTION SALE DATED 31/12/2024 BEARING ARB/314/SN30/16 2014-15 WHICH IS AT ANNEXURE-A AND CONSEQUENTLY RESTRAINED THE R1 FROM ISSUING SALE CERTIFICATE TO THE R2 FORM TAKING THE PHYSICAL POSSESSION.

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

CORAM: HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

ORAL ORDER

The present writ petition is filed seeking the following prayer:

"PRAYER

Wherefore, the petitioners humbly pray that this Hon'ble Court may kindly be pleased to pass and order/ writ/ direction/ mandamus/ certiorari to:

a. Set aside the auction sale dated: 31/12/2024 bearing ARB/314/SN30/16/2024-25 which is at Annexure A and Consequently restrained the 1st respondent from issuing sale



certificate to the 2nd respondent form taking the physical possession.

b. Grant such other and further relief's based on nature and circumstances of the above case in the interest of justice and equity. "

This matter came up for hearing. Learned counsel appearing for respondent No.1 submits that auction is cancelled as such, bidder has failed to pay the amount. When the relief is sought in the writ petition is to set aside the auction and not to issue the sale certificate when the respondents themselves have cancelled the same, nothing survives for consideration in this writ petition.

Accordingly, writ petition is ***dismissed as infructuous.***

All pending I.As. in this petition shall stand closed.

**Sd/-
(LALITHA KANNEGANTI)
JUDGE**

RHS
List No.: 1 Sl No.: 6