



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF MARCH, 2026

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO. 377 OF 2023 (GM-DRT)

BETWEEN:

1. MR. NANJAPPA. K.V.,
S/O. MR. VEERABHADRAIAH. H.N.,
AGED ABOUT 57 YEARS,
2. MRS. SOWBHAGYAMMA,
W/O. MR. NANJAPPA. K.V.,
AGED ABOUT 54 YEARS,
3. MR. KARTHIK K.N.,
S/O. MR. NANJAPPA. K.V.,
AGED ABOUT 28 YEARS,

ALL ARE RESIDING AT
KOLAL, KOLAL HOBLI,
KORATAGERE TALUK-572 140,
TUMAKUR DISTRICT.

...PETITIONERS

(BY SRI. K. SHASHIKANTH PRASAD, ADVOCATE)



AND:

THE AUTHORIZED OFFICER/MANAGER,
M/S. UJJIVAN SMALL FINANCE BANK,
HEAD OFFICE,
GRAPE GARDEN, NO.27, 3RD "A" CROSS,
18TH MAIN ROAD, 6TH BLOCK,
KORAMANGALA,
BENGALURU-560 095.

...RESPONDENT

(BY SRI. FRANCIS XAVIER, ADVOCATE)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO SET ASIDE THE ORDER DATED 05.09.2022 IN CRL.MISC.NO.101/2022 PASSED BY THE PRL. SENIOR CIVIL JUDGE AND CJM, TUMAKURU (ANNEXURE -D) AND TO GRANT AN INTERIM ORDER TO STAY FOR ALL THE FURTHER PROCEEDING IN CONNECTION WITH CRL.MISC.NO.101/2022 DATED 05.09.2022 PASSED BY THE PRL. SENIOR CIVIL JUDGE AND CJM, TUMAKURU (ANNEXURE - D).

THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, 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:

"WHEREFORE, it is prayed that this Hon'ble Court may be pleased to:

(a) Set-aside the order dated 05.09.2022 in Crl.Misc.No.101/2022 passed by the Prl. Senior Civil Judge and CJM, Tumakuru. (ANNEXURE-D)

(b) Grant such other relief/s, as this Hon'ble Court deems fit to grant, under the circumstance of the petition, in the interest of justice."

2. The writ petition is against the M/s. Ujjivan Small Finance Bank. In the light of the Judgment passed by the Hon'ble Apex Court in Civil Appeal Nos.257-259/2022 between ***Phoenix ARC Private Limited Vs. Vishwa Bharathi Vidya Mandir and others*** arising out of WP.Nos.35564-35566/2015 dated 27.03.2018, the present writ petition is not maintainable against the respondent/Private finance bank.

3. In that view of the matter, this Court is passing the following:



ORDER

- i. The writ petition is ***disposed of*** giving liberty to the petitioners to avail the appropriate remedy in accordance with law and also they shall have the benefit of Section 14 of the Limitation Act, 1963.
- ii. All I.As., in the writ petition shall stand closed.

SD/-

(LALITHA KANNEGANTI)

JUDGE