



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21ST DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE E.S.INDIRESH

WRIT PETITION NO. 1310 OF 2025 (CS-RES)

BETWEEN:

1. FOUSTINE MENDONCA
W/O ALEX MENDONCA,
AGED ABOUT 67 YEARS,
(SENIOR CITIZEN BENEFIT NOT CLAIMED)
2. ALEX MENDONCA
S/O SILVESTER MENDONCA,
AGED ABOUT 70 YEARS,
(SENIOR CITIZEN BENEFIT NOT CLAIMED)

BOTH ARE RESIDING AT:
H.NO.18-44/1, KODIHITHLU HOUSE,
KODI POST, SHIVRA,
UDUPI TALUK AND DISTRICT-576 217.

...PETITIONERS

(BY SMT. KAVITHA N., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
DEPARTMENT OF CO-OPERATION SOCIETY,
VIDHANA SOUDHA,
DR. AMBEDKAR VEEDHI,
BENGALURU-560 001.
REPRESENTED BY ITS SECRETARY.
2. THE RECOVERY OFFICER
THE RECOVERY OFFICER OF
CO-OPERATIVE SOCIETIES,





(KCSR-441) D.K. DISTRICT
CENTRAL CO-OPERATIVE BANK,
MANGALORE-575 003.

3. SOUTH CANARA DISTRICT CENTRAL
CO-OPERATIVE BANK
(REGISTERED UNDER CO-OPERATIVE
SOCIETY ACT)
REP BY ITS CEO,
K.M. MARGA BRANCH, SHIVRA,
UDUPI TALUK AND DISTRICT-576 217.

...RESPONDENTS

(BY SRI. YOGESH D. NAIK, AGA FOR R1 & R2;
SRI. RAKSHITH KUMAR, ADVOCATE FOR R3)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF
THE CONSTITUTION OF INDIA PRAYING TO QUASH THE FORM
NO.8 AND 9 AUCTION NOTICE DATED 19.12.2024 ISSUED BY
THE RECOVERY OFFICER OF CO-OPERATIVE SOCIETIES, D.K.
DISTRICT CENTRAL CO-OPERATIVE BANK, MANGALORE IN
DISPUTE NO:JRM/DDS/683/2019-20, C.E.P NO.672/2019-20
AT ANNEXURE-A AND B AND ALL OTHER FURTHER
PROCEEDINGS PURSUANT THERETO.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING
IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS
UNDER:

CORAM: HON'BLE MR. JUSTICE E.S.INDIRESH

ORAL ORDER

Heard Learned counsel for the parties.

2. The petitioner herein has filed this writ petition praying to
quash Form Nos.8 and 9-Auction Notice dated 19.12.2024
issued by respondent No.2 vide Annexures "A" and "B".



3. Learned AGA for respondents No.1 and 2 submits that, the petitioner is assailing the Action Notice without challenging the Original Award passed by the Competent Authority.

4. Having taken note of the submission made by the learned counsel for the parties, I am of the view that, as the petitioner has come up in this writ petition assailing the auction notice without challenging the original award passed by the Competent Authority, and therefore, the writ petition is not maintainable.

Accordingly, the writ petition is dismissed.

**SD/-
(E.S.INDIRESH)
JUDGE**