



**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 24<sup>TH</sup> DAY OF FEBRUARY, 2026**

**BEFORE**

**THE HON'BLE MR. JUSTICE ASHOK S.KINAGI**

**WRIT PETITION NO. 1066 OF 2023 (GM-DRT)**

**BETWEEN:**

BALAKRISHNA P.  
S/O MOHAN M.S.  
AGED 44 YEARS  
R/A No.1-352 SIMHAVANA HOUSE  
SAMPYA ARYAPU VILLAGE  
PUTTUR TALUK  
DAKSHINA KANNADA – 574201.

...PETITIONER



(BY SRI. MOHAN MAIYA G.L., ADVOCATE)

**AND:**

1. THE SOUTH INDIAN BANK  
S I B ARCADE  
No.61, WHEELERS ROAD  
COX TOWN  
BENGALURU - 560005



REPRESENTED BY ITS  
MANAGER.

2. THE DEPUTY COMMISSIONER AND DISTRICT  
MAGISTRATE  
DAKSHINA KANNADA  
D C OFFICE  
MANGALURU – 575001.

3. THE TAHSILDAR  
PUTTUR TALUK  
TALUK OFFICE  
PUTTUR,  
DAKSHINA KANNADA – 575201.

...RESPONDENTS

(BY SRI. FRANCIS XAVIER, ADVOCATE FOR C/R1;  
SRI. H.K. KENCHEGOWDA, AGA FOR R2 & R3 (MA NOT FILED))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226  
AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO SET  
ASIDE THE ORDER DATED 04.07.2018 IN NO.  
MAG(2)CR/423/2018/47785/C4, PASSED BY THE DEPUTY  
COMMISSIONER AND DISTRICT MAGISTRATE, DAKSHINA  
KANNADA (ANNEXURE A).

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



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

**ORAL ORDER**

The petitioner filed this writ petition challenging the order dated 04.07.2018 passed by the Deputy Commissioner and District Magistrate, Dakshina Kannada vide Annexure-A.

2. Learned counsel for respondent No.1-Bank submits that, the impugned order was challenged by the petitioner before the Debts Recovery Tribunal ('DRT' for short) in SA No.278/2018. The said application came to be dismissed vide order dated 22.03.2021 and he has produced the copy of the order passed by the DRT. He further submits that, subsequently, a sale notice was issued and the said sale notice was challenged before the DRT in SA No.793/2022. The said application also was dismissed vide order dated 08.05.2025.

3. As the DRT has dismissed SA No.278/2018 wherein the petitioner had challenged the impugned



Annexure-A, which has attained finality, this writ petition filed by the petitioner is not maintainable.

4. Accordingly, the writ petition is ***dismissed***.

5. In view of dismissal of the petition, pending IA(s), if any, shall stand disposed of.

**Sd/-**  
**(ASHOK S.KINAGI)**  
**JUDGE**

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List No.: 1 Sl No.: 49