



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 26TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO. 2506 OF 2022 (GM-DRT)

BETWEEN:

1. ANIL KUMAR J
S/O M JAYARAM
AGED 37 YEARS,
RESIDING AT FLAT NO.B32
3RD FLOOR, BHARAT REGENCY
CHINNAPPANAHALLI
MARATHHALLI K R PURAM
BENGALURU-560037

...PETITIONER

(BY SRI. KESHAVA BHAT A.,ADVOCATE)

AND:

1. ICICI HOME FINANCE COMPANY LIMITED
NO.181, I FLOOR, SUNDARI ARALDE
WHITEFIELD MAIN ROAD,
WHITEFIELD
BANGALORE-560066
REPRESENTED BY ITS AUTHORISED OFFICER

...RESPONDENT

RESPONDENT SERVED AND UNREPRESENTED

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO-SET ASIDE THE NOTICE DTD 28.01.2022, ISSUED BY THE AUTHORISED OFFICER OF ICICI HOME FINANCE CO LTD VIDE ANNEX-A, ETC.

THIS PETITION, COMING ON FOR ORDERS, 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 prayers:

"(a) Issue a writ of certiorari or any other appropriate writ, order or direction, setting aside the notice dated 28.1.2022, issued by the Authorised Officer of ICICI Home Finance Co. Ltd. (Annexure - A);

(b) Consequently, direct the respondent to restructure the loan account of the petitioner as proposed by petitioner in his representation dated 20.9.2021 (Annexure - J);

(c) Grant such other relief in the interest of justice."

2. The writ petition is of the year 2022. The writ petition is filed against the ICICI Home Finance Company Limited, which is a private financial company. In the light of the law laid down by the Hon'ble Supreme Court in ***Phoenix ARC Private Limited vs. Vishwa Bharati Vidya Mandir &***



Others, in ***Civil Appeal Nos.257-259 of 2022,*** a writ petition against the private financial institution is not maintainable.

3. Hence, the writ petition is liable to be dismissed as not maintainable. In that view of the matter, this Court is passing the following:

ORDER

- i. Accordingly, the writ petition is ***disposed of***, giving liberty to the petitioner to avail the appropriate remedy.
- ii. The petitioner shall have the benefit of Section 14 of Limitation Act.
- iii. Pending IAs., if any, shall stand closed.

SD/-
(LALITHA KANNEGANTI)
JUDGE

SMC
List No.: 1 Sl No.: 6