



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. 5339 OF 2026 (GM-DRT)

C/W

WRIT PETITION NO. 2325 OF 2026 (GM-DRT)

IN WP No. 5339/2026

BETWEEN:

1. M/S GOLDEN GATE PROPERTIES LTD.,
A COMPANY INCORPORATED UNDER THE
COMPANIES ACT, 2013.
HAVING ADDRESS AT NO. 820,
80 FEET ROAD, 8TH BLOCK,
KORAMANGALA,
BANGALORE 560 095
REPRESENTED THROUGH ITS
AUTHORIZED SIGNATORY,
MR. VIDYARANYA V.D.,
2. SRI. C.D SANJAY RAJ
S/O DEVRAJ,
AGED ABOUT 46 YEARS OLD,
HAVING ADDRESS AT NO. 89,
BENSON CROSS ROAD, BENSON TOWN
BANGALORE-560 046

...PETITIONERS

(BY SRI.C.C.CHENGAPPA, ADVOCATE FOR
SMT.NAYANATHARA B.G., ADVOCATE)

AND:

SRI M.VISVESWARAYA CO-OPERATIVE
BANK LTD.,



NC: 2026:KHC:17327
WP No. 5339 of 2026
C/W WP No. 2325 of 2026

SHANKAR MUTT BRANCH
REGISTERED UNDER KARNATAKA
CO-OPERATIVE SOCIETIES ACT OF 1959
HAVING ADDRESS AT NO. 109,
SHANKARMUTT ROAD, SHANKARPURAM,
BANGALORE-560 004.
REPRESENTED BY ITS
BRANCH MANAGER

...RESPONDENT

(BY SRI. K.V.LOKESH, ADVOCATE)

THIS WP IS FILED UNDER ARTICLE 226 AND 227 OF THE
CONSTITUTION OF INDIA PRAYING TO SET ASIDE THE SALE
NOTICE DATED 02.02.2026 NO. VCB/CO/SMR/
AUCTION/394/2025-26 ISSUED BY THE RESPONDENT AT
ANNX-A IN SO FAR PETITIONER CONCERN.

IN WP NO. 2325/2026

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A COMPANY INCORPORATED UNDER
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AND:

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ACT OF 1959
HAVING ADDRESS AT NO. 109,
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BANGALORE- 560 004.
REPRESENTED BY ITS
BRANCH MANAGER

...RESPONDENT

(BY SRI.K.V.LOKESH, ADVOCATE)

THIS WP IS FILED UNDER ARTICLE 226 AND 227 OF THE
CONSTITUTION OF INDIA, PRAYING TO SET ASIDE THE SALE
NOTICE DATED 09-01-2026, NO
VCB/CO/SMR/AUCTION/372/2025-26 ISSUED BY THE
RESPONDENT, AT ANNEXURE A. COPY OF THE
CORRESPONDING NEWSPAPER PUBLICATION IS PRODUCED AS
ANNEXURE-A1.

THESE PETITIONS, 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 writ petitions are filed against Sir. M. Visveshwaraya
Co-operative Bank Ltd., which is a private Bank and 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 Sir. M.
Visveshwaraya Co-operative Bank Ltd., which is a private Bank.

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

ORDER

- i. Accordingly, the writ petitions are ***disposed of***
giving liberty to the petitioner to avail the
appropriate remedy before the DRT.
- ii. The petitioners shall have the benefit of Section 14
of the Limitation Act.
- iii. All pending I.As., in the writ petition shall stand
closed.

SD/-
(LALITHA KANNEGANTI)
JUDGE

PKN
List No.: 1 Sl No.: 45