



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF MARCH, 2026

BEFORE

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

WRIT PETITION NO.8967 OF 2023 (CS-RES)

BETWEEN:

SRI. LALITHESH K.M.
S/O LATE MARIDEVARU,
AGED ABOUT 22 YEARS,
R/AT NO.109, KEMPEGOWDANA DODDI,
OPP. GOVERNMENT SCHOOL, KASABA HOBLI,
RAMANAGARA TOWN AND TALUK,
RAMANAGARA DISTRICT - 562 159.

...PETITIONER

(BY SRI. CHETAN DESAI, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REP. BY ITS SECRETARY,
MINISTRY OF CO-OPERATIVE SOCIETIES,
DEPARTMENT OF CO-OPERATIVE,
VIDHANA SOUDHA,
BENGALURU - 560 001.
2. THE DEPUTY REGISTRAR OF
CO-OPERATIVE SOCIETIES AND
ARBITRATOR SOUHARDA CO-OPERATIVE
KARNATAKA STATE SOUHARDA SAMYUKTHA
CO-OPERATIVE LIMITED,
SAUHARDA SAHAKARI SOUDHA,
1ST FLOOR, BETWEEN 17TH AND 18TH CROSS,
MARGOOSA ROAD, MALLESHWARAM,
BENGALURU - 560 003.
3. THE RECOVERY OFFICER AND ASSISTANT
REGISTRAR OF CO-OPERATIVE SOCIETIES (441)
KARNATAKA STATE SOUHARDA SAMYUKTHA





CO-OPERATIVE LIMITED,
SAUHARDA SAHAKARI SOUDHA,
1ST FLOOR, BETWEEN 17TH AND 18TH CROSS,
MARGOOSA ROAD, MALLESHWARAM,
BENGALURU - 560 003.

4. M/S. UDAYA SOUHARDA CREDIT
CO-OPERATIVE LIMITED
(REGD. UNDER THE SOUHARDA SAHAKARI ACT,
1997)
UDAYA SAHAKARA BHAVANA,
NO.29/11, 1ST MAIN ROAD,
MOUNT JOY ROAD, HANUMANTHANAGARA,
BENGALURU - 560 019.
REP. BY ITS CHIEF EXECUTIVE OFFICER.
5. SRI. SHIVAMADIAH
S/O LATE SIDDAIAH,
AGED ABOUT 70 YEARS,
R/AT NO.109, KEMPEGOWDANA DODDI,
IJOOR POST, JIGENAHALLI DHAKLE,
KASABA HOBLI,
RAMANAGARA TALUK AND DISTRICT - 562 159.
6. SMT. K.M. NAVYASHREE
D/O LATE MARIDEVARU,
AGED ABOUT 33 YEARS,
R/AT NO.1403, 2ND CROSS ROAD,
VIDYANAGARA,
RAMANAGARA TALUK,
RAMANAGARA DISTRICT - 562 159.

...RESPONDENTS

(BY SRI. H.K. KENCHEGOWDA, AGA FOR R1 TO R3;
SRI. SATHYA PRASAD, ADVOCATE FOR
SRI. NARAYAN BABU D.N., ADVOCATE FOR R4;
SRI. PAWAN SHYAM, ADVOCATE FOR R6;
V/O DATED 05.04.2024, NOTICE TO R5 IS HELD SUFFICIENT)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF
THE CONSTITUTION OF INDIA, PRAYING TO QUASH THE
ORDER/AWARD DATED 18TH APRIL, 2022 PASSED BY THE
RESPONDENT NO.2-AUTHORITY IN DISPUTE



NO.DRD/KSSSSN/9865/2019-20 VIDE ANNEXURE-A AND ITS FURTHER PROCEEDINGS INCLUDING THE SUBSEQUENT ATTACHMENT NOTICE DATED 14TH NOVEMBER, 2022 ISSUED BY THE RESPONDENT NO.3 IN EXECUTION PETITION NO.KSSSSN/S.S.N/RO/999/2022-23 VIDE ANNEXURE-B INSOFAR AS THE PETITIONER AND THE PROPERTIES ARE CONCERNED; AND ETC.

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

In this writ petition, the petitioner is challenging the Award dated 18th April, 2022 (Annexure-A) passed by the respondent No.2.

2. Heard Sri. Chetan Desai, learned counsel appearing for the petitioner; Sri. H.K. Kenchegowda, learned Additional Government Advocate appearing for respondents 1 to 3; Sri. Sathya Prasad, learned counsel on behalf of Sri. Narayana Babu D.N., appearing for the respondent No.4; and Sri. Pawan Shyam, learned counsel appearing for the respondent No.6.

3. Sri. Chetan Desai, learned counsel appearing for the petitioner submits that the impugned order dated 18th April, 2022 (Annexure-A) passed by the respondent No.2 and all further proceedings thereto in respect of the property of the



petitioner herein vitiates as the petitioner herein was a minor at the time of initiating the proceedings against him.

4. The said submission was not countered by learned counsel appearing for the respondents.

5. Having heard the learned counsel appearing for parties and taking into consideration the fact that the petitioner herein was a minor at the time of initiating proceedings against him, I am of the view that the impugned award passed by the respondent No.2 requires to be quashed. Accordingly, I pass the following:

ORDER

- (i) Writ Petition ***allowed;***
- (ii) Impugned Award/Order dated 18th April, 2022 (Annexure-A) passed by the respondent No.2 and all further proceedings including the subsequent attachment Notice dated 14th November, 2022 (Annexure-B) issued by the respondent No.3 are hereby quashed.

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

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List No.: 1 Sl No.: 55