



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 8TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MS. JUSTICE JYOTI M

WRIT PETITION NO. 13279 OF 2026 (GM-DRT)

BETWEEN:

1. MR. PARAMESHWARA K.,
S/O. LATE KRISHNAPPA,
SINCE DEAD REPRESENTED BY HIS LEGAL HEIR,

SMT. P.CHITRA,
AGED ABOUT 58 YEARS,
W/O. LATE K.PARAMESHWARA,
2. SMT. P.VIDYA,
AGED ABOUT 42 YEARS,
D/O. LATE K.PARAMESHWARA,
3. MISS. P.LAVANYA,
AGED ABOUT 36 YEARS,
D/O. LATE K.PARAMESHWARA,

ALL ARE RESIDING AT NO.8,
DHARMARAYA SWAMY TEMPLE ROAD,
OTC ROAD, CHAMARAJPET,
BENGALURU-560002.

...PETITIONERS

(BY SRI. R.VIJAYAKUMAR, ADVOCATE FOR
SMT. AKKAMAHADEVI HIREMATH, ADVOCATE)

AND:

1. THE SOUTH INDIAN BANK LTD.,
A BANKING COMPANY HAVING ITS
REGISTERED OFFICE AT SBI HOUSE,
T.B.ROAD, THRISSUR - 680001.





KERALA STATE,
HAVING ITS BRANCH OFFICE AT,
WARD NO.7, KORISADANNA COMPLEX,
GUBBI GATE CIRCLE, B.H.ROAD,
TUMKUR-572101,
REPRESENTED BUT ITS PRINCIPAL OFFICER
AND SENIOR MANAGER - PRASAD R.V.,

2. MR. AJAY S.S.GUPTA (HUF)
REP. BY ITS KARTHA AJAY S.S.GUPTA,
AGED ABOUT MAJOR,
NO.12, EMBASSY COURT,
FLAT NO.14, CRESCENT CROSS ROAD,
OPP. KARNATAKA FILM CHAMBER,
HIGH GROUNDS, BENGALURU- 560001.
3. M/S. SWARNAMANDIR JEWEL DESIGNER PVT. LTD.,
A COMPANY FORMED UNDER
THE COMPANIES ACT, 1956,
HAVING ITS REGISTERED OFFICE AT
2ND FLOOR, SANTHRUPTHI COMPLEX,
VIVEKANANDA ROAD, TUMKUR,
KARNATAKA-572 101.
4. SRI. KISHOOR KUMAR P.,
S/O. LATE T.N. PUKHARAJ.
AGED ABOUT 61 YEARS,
RESIDING AT NAMRATHA,
2ND CROSS, M.G. ROAD,
TUMKUR, KARNATAKA-572 101,
DIRECTOR OF SWARNAMANDIR JEWEL
DESIGNER PVT. LTD.,
5. SMT. SHOBHA KISHOR,
W/O. KISHOOR KUMAR P.,
AGED ABOUT 57 YEARS,
RESIDING AT NAMRATHA,
2ND CROSS, M.G. ROAD,
TUMKUR, KARNATAKA-572 101,
DIRECTOR OF SWARNAMANDIR
JEWEL DESIGNER PVT. LTD.,



6. SRI. ADITYA KISHOR,
S/O. KISHOOR KUMAR P.,
AGED ABOUT 28 YEARS,
RESIDING AT NAMRATHA,
2ND CROSS, M.G. ROAD,
TUMKUR, KARNATAKA-572 101,
DIRECTOR OF SWARNAMANDIR
JEWEL DESIGNER PVT. LTD.,
7. SRI. JAGADISH K.,
S/O. LATE T.N.KRISHNAPPA,
AGED ABOUT 55 YEARS,
RESIDING AT C/O. JAGANATH,
ANEKAL MAIN ROAD, BIG MART,
CHANDAPURA, BENGALURU-560095.
8. SRI. KUMARESH,
S/O. LATE T.N.KRISHNAPPA,
AGED ABOUT 59 YEARS,
RESIDING AT C/O. MANJUNATH,
NO.8-65, KRISHNAPPA BUILDING,
BALAJI NAGAR, NEAR BIOCOM,
BENGALURU-560100.
9. SRI. P.MOHAN RAJ,
S/O. LATE K.PARAMESHWARA,
AGED ABOUT 38 YEARS,
DIRECTOR OF SWARNAMANDIR
JEWEL DESIGNER PVT. LTD.,
RESIDING AT NO.8,
DHARMARAYA SWAMY TEMPLE ROAD,
OTC ROAD, CHAMARAJPET,
BENGALURU-560002.

...RESPONDENTS

(BY SRI. FRANCIS XAVIER, ADVOCATE FOR R1;
SRI. VENKATESH ARBATTI, ADVOCATE FOR R2;
NOTICE TO RESPONDENTS NO.3 TO 9 IS DISPENSED WITH)



THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, SEEKING CERTAIN RELIEFS.

THIS WRIT PETITION IS LISTED FOR ORDERS, THIS DAY, AN ORDER IS MADE AS UNDER:

ORAL ORDER

Sri.R.Vijay Kumar, counsel on behalf of Smt.Akkamahadevi Hiremath, for the petitioner.

Sri.Venkatesh S.Arbatti, counsel for appeared in person and undertakes to file power on behalf of respondent No.2.

Notice to respondents 3 to 9 is dispensed with.

2. The petition is listed today for orders and with consent it is heard finally.

3. The writ petition is filed seeking following reliefs:

(a) Issue a writ of certiorari and quash the order dated 08.04.2026 passed by the DRT Tribunal in S.A.13/2024 produced as (Ann-N), dismissing the said S.A. and

(b) Such other writs or orders as this Hon'ble Court deems fit in the circumstances of the case.



4. Sri.Venkatesh S.Arbatti, counsel submits that respondent No.2 is the auction purchaser and is a contesting party and he has no objection for setting aside the order of dismissal dated 08.04.2026 passed by the DRT.

5. However, he submits that a direction may be issued to the petitioner to amend the cause title expeditiously.

6. When queried, he submits that he has made this submission consciously after taking necessary instructions from respondent No.2.

7. Submission is placed on record.

8. Suffice it to note that the original applicant Parameshwara died during the pendency of the appeal before the DRT and an application to bring the legal representatives was filed and the same was allowed. Despite granting sufficient adjournment/ opportunity, the amendment was not carried out. Hence, the DRT dismissed the S.A.13/2026.

9. Taking note of the contentions and submissions presented on behalf of the respective parties, this Court deems



it proper to set aside the impugned order dated 08.04.2026 passed by the DRT in S.A.13/2026.

10. Accordingly, writ petition is ***allowed***. As the impugned order is set aside, a direction is issued to the petitioner to carry out the amendment within two days from the receipt of certified copy of the order and the DRT to permit the same and dispose of the application as expeditiously as possible.

**SD/-
(JYOTI M)
JUDGE**

SS
List No.: 1 Sl No.: 20