



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF FEBRUARY, 2026

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

THE HON'BLE MR. JUSTICE S RACHAIAH

WRIT PETITION NO. 15574 OF 2025 (GM-DRT)

BETWEEN:

SRI R.V. NATHAN
(MORTGAGER/GUARANTOR)
S/O LATE V.RAJARAMAN
R/AT NO.205,
RAM LAKSHMAN APARTMENT
NO.89, DIAGONAL ROAD,
V.V.PURAM,
BANGALORE-560 004.

...PETITIONER

(BY SRI. M.A. RAJENDRA, ADVOCATE)

AND:

1. THE AUTHORIZED OFFICER /
CHIEF-MANAGER,
INDIAN BANK, NO.110, M.G. ROAD
BANGALORE-560 001.
2. M/S VAIKUND PROPERTY,
DEVELOPMENT PVT. LTD., (BORROWER)
REGISTERED OFFICE AT NO.205,
RAM LAKSHMAN APARTMENT
NO.89, DIAGONAL ROAD,





V.V.PURAM,
BANGALORE-560 004

REPRESENTED BY ITS
MANAGING DIRECTOR
MR. R.V. NATHAN.

3. SMT. PADMA KODANDARAM
(AUCTION PURCHASER)
4. SRI. L.M. KODANDARAMA SETTY
(AUCTION PURCHASER)

BOTH RESIDING AT:
NO.77, HOMBELAKU, 1ST FLOOR,
10TH MAIN,
BANGALORE-560 085.

...RESPONDENTS

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO SET ASIDE/QUASH THE IMPUGNED ORDERS PASSED BY THE HON'BLE DEBT RECOVERY APPELLATE TRIBUNAL, CHENNAI IN I.A.295/2022 (WAIVER) IN AIR 160/2022 (ARISE OUT OF S.A.NO.340/2017 ON THE FILE OF DRT-II), ON 09.01.2025 AND ON 07.02.2025 - ANNEXURE-A AND ANNEXURE-B AND ETC.

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



CORAM: HON'BLE MR. JUSTICE D K SINGH
and
HON'BLE MR. JUSTICE S RACHAIAH

ORAL ORDER

(PER: HON'BLE MR. JUSTICE D K SINGH)

The present writ petition has been filed impugning the order dated 09.01.2025 and 07.02.2025 passed by the DRAT, Chennai.

2. The learned counsel for the petitioner submits that the petitioner has already deposited more than Rs.17,00,000/- which is available with the DRT and the respondent-Bank.

3. If that is the case, the petitioner should make an application before the DRAT for modification of the impugned order. However, we are not here to take the evidence regarding the deposit made by the petitioner. If the petitioner moves an appropriate application for modification of the impugned order, the DRT should consider the application and also may reduce the condition of pre-deposit to 25% instead of 50%.



**NC: 2026:KHC:11013-DB
WP No. 15574 of 2025**

4. With the aforesaid direction, the writ petition is disposed off.

**Sd/-
(D K SINGH)
JUDGE**

**Sd/-
(S RACHAIAH)
JUDGE**

RKA
List No.: 2 Sl No.: 1