



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.G.S. KAMAL

WRIT PETITION NO. 16891 OF 2023 (GM-RES)

BETWEEN:

1. MR. VIKRANT K.,
S/O. K. KUPENDRA GUPTA
AGED ABOUT 47 YEARS,
2. MADHUSUDHAN A T
S/O. TIPPAIAH
AGED ABOUT 43 YEARS,

BOTH ARE R/AT GLOBONICS,
NO.1213, GROUND AND FIRST FLOORS,
BCHS LAYOUT,
HOLIDAY VILLAGE MAIN ROAD,
VAJARAHALI, OFF KANAKAPURA ROAD,
BENGALURU - 560 062.

...PETITIONERS

(BY SRI. KAVITHA N.,ADVOCATE)

AND:

1. KURUHINASETTY SOUDHARDA
CREDIT CO OPERATIVE SOCIETY
(REGISTERED UNDE SOCIETY ACT)
J.P.NAGAR BRANCH, NO.538,
1ST FLOOR, SIDDHIVINATAKA TOWER,
J.P.NAGAR 7TH PHASE,
RBI COLONY, OPP TO BRIGADE MILLENIUM,
BENGALURU - 560 078.
REPRESENTED BY ITS AUTHORIZED OFFICER / CEO.
2. MR. K. SUDHEER





AGED ABOUT 58 YEARS,
S/O LATE K VENKATASHIVARAJU,
NO.1851, 4TH MAIN, BCCHS LAYOUT,
HOLIDAY VILLAGE MAIN ROAD,
VAJARAHALLI,
OFF KANAKAPURA ROAD,
BENGALURU - 560 062.

...RESPONDENTS

(BY SRI. S.R. MURTHY, NANDINI G., ADVOCATE FOR C/R1)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE SEC.14 ORDER OBTAINED BY THE RESPONDENT BANK BEFORE CJM, BANGALORE RURAL DISTRICT IN CRL. MISC.NO. 711/2019 DATED 28.11.2019 VIDE ANNEX-A STATING THAT THE ENTIRE RECOVERY PROCEEDINGS INITIATED BY THE RESPONDENT BANK AGAINST THE SCHEDULE PROPERTY ARE ILLEGAL AND IN VIOLATION OF SARFAESI ACT, 2002.

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

CORAM: HON'BLE MR. JUSTICE M.G.S. KAMAL

ORAL ORDER

Petitioners are the tenants occupying the secured assets which have been brought for auction by the respondent-Bank in terms of provisions contained under Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI Act).

2. Learned counsel for the petitioners submits that if the respondent-Bank is ready and willing to refund the amount paid



by the petitioners to original borrower/landlord, petitioners are ready and willing to vacate and walk out of the premises.

3. Petitioners are essentially aggrieved by the action initiated by the respondent-Bank under SARFAESI Act.

4. Petitioners have alternative effective remedy under Section 17 of the SARFAESI Act.

Reserving liberty to the petitioners, petition is ***disposed of.***

**SD/-
(M.G.S. KAMAL)
JUDGE**