



**IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 27TH DAY OF FEBRUARY, 2026**

BEFORE

**THE HON'BLE MR. JUSTICE ASHOK S.KINAGI
WRIT PETITION NO. 20714 OF 2025 (GM-DRT)**

BETWEEN:

1. SRI M R SRINIVASA
S/O LATE M N RAMESHWARASA,
AGED ABOUT 62 YEARS.
2. SMT. ROOPA N
W/O MS SAINATH
AGED ABOUT 37 YEARS.

BOTH ARE R/AT NO.18, OLD NO.1913
2ND FLOOR, 12TH CROSS, 2ND MAIN,
BACKSIDE KALABAIRESHWARA COLLEGE,
HAMPINAGAR, RPC LAYOUT, VIJAYA NAGAR,
BENGALURU-560 104.

3. M/S SHREE MEENAKSHI SILKS,
A REGISTERED PARTNERSHIP FIRM
HAVING ITS OFFICE AT NO.671, OTC ROAD,
CHICKPET, BENGALURU-560 053.
REP BY ITS PARTNERS SRI. M R SRINIVAS
SMT. M S LALITHAMBA
SRI. M S SAINATH
4. SRI. M R SRINIVASA
S/O LATE M N RAMESHWARASA,
AGED ABOUT 62 YEARS.
5. SMT. M S LALITHAMBA
W/O SRI. M R SRINIVAS,
AGED ABOUT 57 YEARS
6. SRI. M S SAINATH
S/O SRI. M R SRINIVAS,
AGED ABOUT 37 YEARS.





R/AT NO.18, OLD NO.1913,
2ND FLOOR, 12TH CROSS, 2ND MAIN,
BACKSIDE KALABAIRESHWARA COLLEGE,
HAMPINAGAR, RPC LAYOUT,
VIJAYA NAGAR, BENGALURU-560 104.

...PETITIONERS

(BY SRI. MADHU S B., ADV.)

AND:

1. SRI GOVINDA K S
S/O SRINIVAS K R,
AGED ABOUT 27 YEARS,
R/AT NO.16/1, AMERICAN COLONY,
CREASENT ROAD, KUMARA PARK EAST,
BENGALURU-560 001,
2. VYSYA CO-OPERATIVE BANK LTD,
REP BY ITS AUTHORIZED PERSON,
NO.349, KOMARLA TOWERS,
2ND FLOOR, OTC ROAD,
BALEBETE CIRCLE, CHICKPET,
BENGALURU-560 063.

...RESPONDENTS

(BY SRI. K.V.LOKESH, ADV. C/R1)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 PRAYING TO ISSUE AN ORDER OR DIRECTION OR WRIT MANDAMUS OR ANY OTHER WRIT COME QUASHING THE ORDER DATED 11/03/2024 PASSED BY THE 9 ACMM. BENGALURU IN CRL MISC NO. 791/2024 IN FAVOR OF 2 RESPONDENT IN NATURE OF B) ISSUE AN ORDER OR DIRECTION OR WRIT IN THE NATURE OF CERTIORARI OR ANY OTHER WRIT DIRECTING THE 2ND RESPONDENT NOL TO DO ANY FURTHER ACTIONS IN RESPECT OF THE ABOVE SAID PROPERTY ON BASIS OF SALE CERTIFICATE DATED 30/09/2024 ISSUED BY THE 2ND RESPONDENT IN FAVOR OF 1ST RESPONDENT AND FURTHER QUASH THE SALE CERTIFICATE DATED 30/09/2024 AND TO GRANT ALL CONSEQUENTIAL BENEFITS THERE FROM, AND ETC.,

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



CORAM: HON'BLE MR. JUSTICE ASHOK S.KINAGI

ORAL ORDER

The petitioners filed this writ petition challenging the order dated 11.03.2024 passed by the 9th ACMM, Bengaluru in Crl.Misc.No.791/2024 in favour of respondent No.2, and also the sale certificate dated 30.09.2024 issued by respondent No.2 in favour of respondent No.1.

2. The petitioners have an equal efficacious remedy to challenge the order passed in Crl.Misc.No.791/2024 by filing an application under Section 17 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short 'the SARFAESI Act'). The petitioners without exhausting equal efficacious remedy, have filed this writ petition.

3. In view of proposition of law laid down by the Hon'ble Apex Court in the case of **RIKHAB CHAND JAIN Vs.**



UNION OF INDIA IN C.A.No.6719 of 2012 disposed off on 12.11.2025, the writ petition is not maintainable.

4. The petitioners filed this writ petition on 04.07.2025. The office has raised the objections. The petitioners did not comply with the office objections. The matter is posted today for compliance of office objections for the 5th time. The petitioner has got an efficacious remedy. Accordingly, the writ petition is ***dismissed***.

5. The liberty is reserved to the petitioners to approach the Debt Recovery Tribunal, if so desired, within 30 days from today.

6. Pending applications, if any, stand disposed off accordingly.

**Sd/-
(ASHOK S.KINAGI)
JUDGE**

SSB