



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. 29673 OF 2024 (GM-DRT)

BETWEEN:

1. M/S MOTI BABA FILLING STATION
PROPRIETOR SRI BASHA MAHABOOB
AGED ABOUT 69 YEARS
DOOR No.116, HES ROAD,
OLD ESI HOSPITAL
AMBEDKAR NAGAR, T.B. DAM,
HOSAPETE - 583225



2. SMT. SHANU BEGUM
W/O SRI BASHA MAHABOOB
AGED ABOUT 59 YEARS
DOOR No.116, HES ROAD,
OLD ESI HOSPITAL
AMBEDKAR NAGAR, T.B. DAM,
HOSAPETE - 583225

...PETITIONERS

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



AND:

THE AUTHORIZED OFFICER
STATE BANK OF INDIA
STATION ROAD,
HOSPETE - 583201

...RESPONDENT

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO SET
ASIDE THE IMPUGNED ORDERS PASSED IN SA NO.714/2022
DTD 29.12.2023 ANNEX-A SINCE THE ORDER PASSED BY THE
HONBLE DRT-1 BENGALURU IS NOT IN ACCORDANCE WITH
LAW, AND ETC.,

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



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

ORAL ORDER

The petitioners aggrieved by the order passed in S.A.No.714/2024 dated 29.12.2023 passed by the Debt Recovery Tribunal-I, Bengaluru. The said order is appealable under Section 18 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.

2. 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. Accordingly, the writ petition is ***dismissed***.

3. The liberty is reserved to the petitioners to approach the Debt Recovery Appellate Tribunal within a period of one month from today.



4. If the petitioners approaches the Debt Recovery Appellate Tribunal, the petitioners are entitled to the benefit under Section 14 of the Limitation Act, 1963.

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

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

SSB