



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO. 30898 OF 2025 (GM-DRT)

BETWEEN:

1. M/S ROHITH MARKETING
WARD NO. 26,
KHATHA NO. 151/478/6068/3,
GUTHYAPPA COLONY,
NETHAJI CIRCLE,
SHIVAMOGGA – 577 204.
REPRESENTED BY ITS PARTNER.
 2. MR. UDAYKUMAR M.
S/O MANI M.S
AGED ABOUT 51 YEARS
GAGANA, 3RD CROSS,
TIMMAKKA LAYOUT,
NEAR SKN SCHOOL,
KALLAHALLI, VINOBBHANAGARA,
SHIVAMOGA - 577 204.
 3. MRS. CHANDRAKALA P
W/O UDAYKUMAR M
AGED ABOUT 43 YEARS
R/O 'GAGANA', 3RD CROSS,
TIMMAKKA LAYOUT,
NEAR SKN SCHOOL,
KALLAHALLI, VINOBBHANAGARA,
SHIVAMOGA - 577 204.
- 2ND PARTNER OF M/S. ROHITH MARKETING.
WARD NO.26, KHATHA NO.
151/478/6068/3,
GUTHYAPPA COLONY,



NETHAJI CIRCLE,
SHIVAMOGGA – 577 204.

4. SMT. MEENAKSHI
W/O PONNASWAMY
AGED ABOUT 72 YEARS,
R/O MEENAKSHI NILAYA,
3RD CROSS, RAJAPPA LAYOUT,
JANNAPURA, BHADRAVATHI – 577 301.
SHIVAMOGGA DISTRICT.

...PETITIONERS

(BY SRI. GOPAL K B.,ADVOCATE)

AND:

M/S KARNATAKA BANK LTD.,
PB NO 112, KARNATAKA BANK BUILDING,
E-MAIL 1 FLOOR, SAVALANGA ROAD.
SHIVAMOGGA - 577 201
REPRESENTED BY ITS BANK MANAGER,

...RESPONDENT

(BY SRI. DIVYA PURANDAR.,ADVOCATE)

THIS WP IS FILED UNDER ARTICLE 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF CERTIORARI BY QUASHING THE IMPUGNED POSSESSION NOTICE, DATED 30-09-2025 ISSUED BY THE RESPONDENT BANK IN RESPECT OF THE SCHEDULE PROPERTY, VIDE ANNEXURE - AB. PASS ANY OTHER ORDER/S AS THIS HON'BLE COURT DEEMS FIT TO GRANT IN THE CIRCUMSTANCES OF THE CASE, IN THE INTEREST OF JUSTICE AND EQUITY AND ETC.,

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

CORAM: HON'BLE SMT. JUSTICE LALITHA KANNEGANTI



ORAL ORDER

The present writ petition is filed seeking the following prayer:

- a. Issue a writ of certiorari by quashing the impugned possession notice, dated 30-09-2025 issued by the Respondent Bank in respect of the schedule property, vide Annexure - 'A';***
- b. Pass any other order/s as this Hon'ble Court deems fit to grant in the circumstances of the case, in the interest of justice and equity.***

2. Learned counsel appearing for the petitioner has filed an affidavit before this Court stating that they will pay the entire outstanding amount within a period of four months in equal four installments and they will pay installment amount by 10th of every month.

3. Learned counsel appearing for the respondent/Bank submits that the outstanding amount due as on 01.03.2026 is Rs.29,28,152/-. It is submitted that the Bank will be furnishing the latest amount due during the payment of the 3rd installment. Once the 3rd installment is paid, they will be informing the petitioner what is the 4th installment to be paid including the expenses and interest. It is submitted that if the petitioner fails to pay any of the installments, they may be permitted to proceed with further proceedings.



3. Having heard the learned counsels on either side, perused the entire material on record. Considering the affidavit that is placed before the court, this court is passing the following:

ORDER

- i. The petitioner shall pay the amount as undertaken before this court, i.e., the entire outstanding amount within 4 equal installments in four months.
- ii. The 1st installment shall be paid by 10.04.2026, 2nd installment by 10.05.2026, 3rd installment by 10.06.2026 and 4th installment by 10.07.2026.
- iii. When the petitioner pays the 3rd installment, the Bank shall inform what is the outstanding, last installment along with the expenses and interest shall be paid.
- iv. If the petitioner fails to pay any of the installment, the Bank is at liberty to proceed further in accordance with law.
- v. Accordingly, the writ petition is ***disposed off.***
- vi. All pending I.A.s., in the petition shall stand closed,.

**SD/-
(LALITHA KANNEGANTI)
JUDGE**