



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. 31688 OF 2024 (GM-DRT)

BETWEEN:

1. MR. SYED ABDUL TABREZ,
S/O. SYED JABBAR,
AGED ABOUT 48 YEARS,
R/AT NO. 20, NEAR MASJID,
RMV EXTENSION, II STAGE,
BHOOPASANDRA,
BENGALURU-560 094.
2. MRS. RAZIA SULTANA
W/O. SYED ABDUL TABREZ,
AGED ABOUT 38 YEARS,
R/AT NO.20, NEAR MASJID,
RMV EXTENSION II STAGE,
BHOOPASANDRA,
BENGALURU-560 094.
3. M/S. PRIME AIR SOLUTION
THROUGH ITS PROPRIETOR,
MR. SYED ABDUL TABREZ,
NO. 8, PATEL HUSSAIN SAB CROSS,
RMV 2ND STAGE,
BHOOPASANDRA,
BENGALURU-560 094.

...PETITIONERS

(BY SRI. IRSHAD AHMED K., ADVOCATE)



AND:

KOTAK MAHINDRA BANK LIMITED
REGISTERED OFFICE AT NO. 27,
BKC, C-27,
G-BLOCK,
BANDRA KURLA COMPLEX,
BANDRA EAST,
MUMBAI-400 051,
REP. BY ITS MANAGING DIRECTOR

BRANCH OFFICE AT PLOT NO. 7,
7TH FLOOR,
SECTOR-125, NOIDA,
NEAR DELL CAMPUS,
UTTAR PRADESH-201 313.

...RESPONDENT

(BY SMT. PRASANNA KUMARI M.G., ADVOCATE FOR
SRI. SHIVASHANKARA A., ADVOCATE)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF
THE CONSTITUTION OF INDIA PRAYING TO QUASH THE
POSSESSION NOTICE DTD. 23.08.2024 ISSUED BY THE
RESPONDENT BANK ANNEX-A AND ETC.

THIS PETITION, COMING ON FOR ORDERS, 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 prayers:

"a) To quash the Possession Notice dated 23.08.2024 issued by the Respondent Bank Annexure-A.

b) Grant such other order/s as this Hon'ble Court deems fit to in the interest of justice and equity."

2. The petitioners have approached this Court questioning the Possession Notice dated 23.08.2024. Pursuant to the order dated 04.12.2024 passed by a Coordinate Bench of this Court, a sum of Rs.3,00,000/- has been paid.

3. It is submitted that the petitioner seeks extension of time for payment of the remaining amount. In the light of the settled position of law, the Hon'ble Apex Court has, time and again, deprecated the practice of High Courts entertaining writ petitions and granting interim relief where an effective alternative remedy is available. The petitioners has questioned the possession notice and no legal grounds are raised before



this Court seeking interference of this Court under Article 226 of the Constitution of India.

4. In that view of the matter, this Court is not inclined either to extend the time or to entertain the writ petition. Hence, this Court is passing the following:

ORDER

- i. Accordingly, the writ petition is ***disposed of***, giving liberty to the petitioners to avail the appropriate remedy in accordance with law.
- ii. The petitioners shall have the benefit of Section 14 of the Limitation Act.
- iii. Pending IAs., if any, shall stand closed.

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

SMC
List No.: 1 Sl No.: 21