



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO. 28868 OF 2023 (GM-RES)

BETWEEN:

SRI V.KRISHNAMURTHY
S/O LT. VENKATARAMANAPPA
AGED ABOUT 56 YEARS
R/AT NO.34,
KANAKAPURA MAIN ROAD,
BALAJI LAYOUT, NEAR NANDINI
MILK DAIRY, VAJARAHALLI
BENGALURU 560 109

...PETITIONER

(BY SRI.NAGARAJA HEGDE, ADVOCATE FOR
SRI.ARUN BHAT, ADVOCATE)

AND:

THE SWARNA BHARATHI SAHAKARA
BANK NIYAMITHA
#2229, 23RD CROSS
BSK II STAGE
BENGALURU -560 070
REPRESENTED BY ITS
AUTHORISED OFFICER/PRESIDENT

...RESPONDENT

(BY SRI.K.V.LOKESH, ADVOCATE)

THIS WP IS FILED UNDER ARTICLE 226 AND 227 OF THE
CONSTITUTION OF INDIA, PRAYING TO ISSUE DIRECTION TO
THE RESPONDENT BANK TO NOT TO ACT UPON THE NOTICE
DATED:7.10.2023 AT ANNEXURE-E AND DIRECT THE



RESPONDENT BANK TO ADJUST HIS SERVICE BENEFITS TOWARDS HIS LOAN ACCOUNT.

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

CORAM: HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

ORAL ORDER

It is submitted that after the petitioner filed the writ petition questioning the possession notice, respondent/Bank has withdrawn the same and thereafter they have initiated fresh proceedings. The petitioner wants to challenge the same, apart from the other factors with regard to the interest and all. Hence, the petitioner seeks liberty to avail the appropriate remedy before the DRT. It is submitted that the interim order granted by this Court is complied with and he paid the amount as per the order.

2. In that view of the matter, this Court is passing the following:

ORDER

- i. Accordingly, the writ petition is ***disposed of*** giving liberty to the petitioner to avail the appropriate remedy.



- ii. The petitioner shall have the benefit of Section 14 of the Limitation Act.
- iii. All pending I.As., in the writ petition shall stand closed.
- iv. Original documents to be returned to the petitioner.

SD/-
(LALITHA KANNEGANTI)
JUDGE

PKN
List No.: 1 Sl No.: 14