



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE ASHOK S.KINAGI

WRIT PETITION NO. 38226 OF 2025 (GM-DRT)

BETWEEN:

1. SMT.BYRAMMA
W/O LATE NIRVANAIAH
AGED ABOUT 63 YEARS,
RESIDENT OF KESHAVANAGARA
AREHALLI VILLAGE AND POST,
BELUR TALUK,
HASSAN DISTRICT-573 101.

...PETITIONER

(BY SRI. M. JAGANNATH ALVA, ADVOCATE)

AND:

1. M/S. CANARA BANK
REP. BY ITS SENIOR MANAGER
AREHALLI BRANCH,
BELUR TALUK,
HASSAN DISTRICT-573 101.





2. THE AUTHORIZED OFFICER,
UNDER SARFAESI ACT,
CANARA BANK,
REGIONAL OFFICE,
N.R.CIRCLE,
HASSAN DISTRICT - 573 201.

...RESPONDENTS

(BY SRI. VIGNESH SHETTY, ADVOCATE)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO QUASHING THE POSSESSION NOTICE DATED 11.09.2025 ISSUED BY THE RESPONDENT NO.2 UNDER SECTION 13(4) OF SARFAESI ACT WHICH IS PRODUCED AT ANNEXURE-D; CONSEQUENTLY SET ASIDE ALL FURTHER ACTION TAKEN BY THE RESPONDENTS PURSUANT TO THE ISSUE OF POSSESSION NOTICE DATED 11.09.2025 ISSUED BY THE RESPONDENT NO.2 WHICH IS PRODUCED AT ANNEXURE-D SAME AS REPORTED BY THE RESPONDENT NO.1 TO THE PETITIONER ON 06.12.2025 WHICH IS PRODUCED AT ANNEXURE- E.

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

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



ORAL ORDER

1. The petitioner has filed this writ petition seeking following reliefs:

- i) "issue a writ of certiorari or any other writ, order or directions, quashing the possession notice dated 11.09.2025 issued by respondent No.2 under Section 13(4) of SARFAESI Act, which is produced at Annexure-D;
- ii) Consequently, set aside all further action taken by the respondents pursuant to the issue of possession notice dated 11.09.2025 issued by respondent No.2, which is produced at Annexure-D, same as reported by respondent No.1 to the petitioner on 06.12.2025 which is produced at Annexure-E;
- iii) grant cost of this petition;
- iv) also grant such other and further reliefs as this Hon'ble Court deems fit considering the facts and circumstances of the case, to meet the ends of justice."

2. Learned counsel for the respondent-Bank submits that the respondent has already auctioned the property and



issued a sale confirmation, prior to the filing of the instant writ petition, but the Sale Certificate is not issued due to the pendency of this writ petition, and in view of the same, nothing survives for consideration in this petition.

3. Learned counsel for the petitioner submits that a liberty may be reserved in favour of the petitioner to approach the Debts Recovery Tribunal within 30 days from today.
4. Submission is placed on record.
5. In view of the same, the writ petition is ***disposed of as having rendered infructuous.***
6. Liberty is reserved to the petitioner to approach the Debts Recovery Tribunal, challenging the auction proceedings, within 15 days from today.
7. If the petitioner approaches the Tribunal within 15 days from today, the petitioner is entitled for the benefit under Section 14 of the Limitation Act.



8. Further, the respondent-Bank is directed not to issue the Sale Certificate in favour of the bidder for 15 days from today.
9. In view of the disposal of the petition, pending interlocutory applications, if any, do not survive for consideration and are accordingly disposed of.

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

RK
List No.: 1 Sl No.: 33