



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 26TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO.101181 OF 2026 (GM-DRT)

BETWEEN:

1. SRI. SIDDAPPA
S/O. PUNDALIKAPPA KATAGI,
AGE. 43 YEARS, OCC. AGRICULTURE,
R/O. KARIKATTI, TAL. SAUNDATI,
DIST. BELAGAVI.
2. BASAVRAJ
S/O. PUNDALIKAPPA KATAGI,
AGE. 43 YEARS, OCC. AGRICULTURE,
R/O. KARIKATTI, TAL. SAUNDATI,
DIST. BELAGAVI.
3. MAILAR
S/O. PUNDALIKAPPA KATAGI,
AGE. 43 YEARS, OCC. AGRICULTURE,
R/O. KARIKATTI, TAL. SAUNDATI,
DIST. BELAGAVI.



...PETITIONERS

(BY SMT. CHETANA S.BIRAJ, ADVOCATE)

AND:

1. KARNATAKA GRAMEENA BANK,
REPRESENTED BY ITS



MANAGER, UDIKERI BRANCH,
BELAGAVI-591104.

2. KARNATAKA GRAMEENA BANK,
REPRESENTED BY ITS AUTHORISED OFFICER,
REGIONAL OFFICE, BELAGAVI-590 001.

...RESPONDENTS

(BY SRI. GIRISH V.BHAT, ADVOCATE AND
SMT. N.Y. DIXIT, ADVOCATE)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF CONSTITUTION OF INDIA, PRAYING TO I. ISSUE A WRIT OF CERTIORARI QUASHING THE NOTICE AT ANNEXURE-D DATED 31/12/2025 ISSUED BY THE RESPONDENT NO.2 BEARING REF NO.1172/ANN8/SP/ROBGM, IN THE INTEREST OF JUSTICE AND EQUITY. II. ISSUE A WRIT OF MANDAMUS DIRECTING THE RESPONDENTS TO CONSIDER THE REPRESENTATION OF THE PETITIONERS AT ANNEXURE-E DATED: 16/01/2026, IN THE INTEREST OF JUSTICE AND EQUITY. III. ISSUE SUCH OTHER WRIT OR ORDER OR DIRECTION AS DEEMED FIT IN THE INTEREST OF JUSTICE AND EQUITY.

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

CORAM: THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI



ORAL ORDER

The present writ petition is filed seeking the following prayers:

"i. Issue a writ of Certiorari quashing the notice at Annexure-D dated 31/12/2025 issued by the respondent no.2 bearing Ref No.1172/ANN8/SP/ROBGM, in the interest of justice and equity.

ii. Issue a writ of Mandamus directing the respondents to consider the representation of the petitioners at Annexure-E dated: 16/01/2026, in the interest of justice and equity.

iii. Issue such other writ or order or direction as deemed fit in the interest of justice and equity."

2. Learned counsel appearing for the petitioners submits that the petitioners are ready to settle the dispute and they want to pay the amount under the OTS scheme.

3. When this matter came up on the last occasion, this Court had directed the learned counsel for the respondent/Bank to find out as to whether there is a scheme in place. On instructions, it is submitted by the learned counsel for the respondent/Bank that as per their Bank Rules, unless the first auction is conducted and where the same is unsuccessful, then they will consider the proposal of OTS, but



not before that. It is also submitted that after the financial year in March 2026, they will be announcing the policy with regard to the new schemes. It is submitted that at this point of time, they cannot consider the case of the petitioners.

4. Learned counsel for the petitioners submits that she had given a representation on 16.01.2026. If the respondents consider the same and pass some order, the petitioners will be in a position to avail the appropriate remedy.

5. Having heard the counsels on either side, perused the material on record. This Court cannot interfere with the proceedings that are initiated under the SARFAESI Act, unless and until it is brought to the notice of the Court that this is an exceptional case which requires interference from this Court. In the instant case, the petitioners have not made out any such grounds. Then coming to the prayer No.2, it is the representation given by the petitioners. There cannot be any mandamus directing the respondents to grant OTS to the petitioner. However, as representation dated 16.01.2026 submitted by the petitioners is pending before the



respondent/Bank, this Court deems it appropriate to pass the following:

ORDER

- a) The respondent/Bank shall consider the representation of the petitioners dated 16.01.2026 in accordance with law within a period of four weeks from the date of receipt of the copy of this order.
- b) As far as notice dated 31.12.2025 is concerned, the petitioners are at liberty to avail the appropriate remedy under law.
- c) Accordingly, the writ petition is ***disposed of.***
- d) All pending I.As. in this petition shall stand closed.

Sd/-
JUSTICE LALITHA KANNEGANTI