



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.100955 OF 2026 (GM-DRT)

BETWEEN:

1. M/S. NOOLVI TRADERS,
REP. BY ITS PROPRIETOR
RAJSHEKHAR NOOLVI
PLOT NO.M8VD, SIMIKERI BUILDING,
NEW APMC YARD, AMARGOL, HUBLI.
2. RAJSHEKHAR NOOLVI,
AGE. 52 YEARS, OCC. SECURITY GUARD,
R/O. NO.102, MIDMAC, 7TH AVENUE,
BHARATI NAGAR, SILVER TOWN
MAIN ROAD, HUBBALLI.
3. MANJUNATH NOOLVI,
AGE. 51 YEARS, OCC. PVT SERVICE,
R/O. NO.102, MIDMAC, 7TH AVENUE,
BHARATI NAGAR, SILVER TOWN
MAIN ROAD, HUBBALLI.
4. SAROJA NOOLVI,
AGE. 46 YEARS, OCC. HOUSEHOLD,
R/O. NO.102, MIDMAC, 7TH AVENUE,
BHARATI NAGAR, SILVER TOWN
MAIN ROAD, HUBBALLI.



...PETITIONERS

(BY SRI. KUSHAL BOLMAL, ADVOCATE)



AND:

1. THE MANAGER,
INDIANBULLS ASSESTS AND
RECONSTRUCTION COMPANY LIMITED
ONE INTERNATIONAL CENTER,
TOWER NO.14TH FLOOR, SENAPATI BAPAT MARG,
ELPHINSTONE ROAD, MUMBAI-400013.
2. THE MANAGER,
INDIANBULLS ASSESTS AND
RECONSTRUCTION COMPANY LIMITED,
CORP OFFICE. PLOT NO.108,
5TH FLOOR, IT PARK, UDYOG VIHAR
PHASE-1 GURGAON-122016.
3. THE MANAGER,
INDIANBULLS ASSESTS AND
RECONSTRUCTION COMPANY LIMITED
1ST FLOOR, CTS NO.122/151,
KALBURGI NOOLVI AVENUE,
NEW COTTON MARKET, HUBLI-580029.
4. INDUSIND BANK,
REGISTERED OFFICE AT 2401,
GEN. THIMMAYYA ROAD,
(CANTONMENT), PUNE-411001.
BRANCH OFFICE AT.
INDUSIND BANK, MANSION,
1ST FLOOR, PINTOS ROAD, CLUB ROAD,
DESAI CROSS, HUBBALLI-580021.
R/BY ITS MANAGER.

...RESPONDENTS

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF CONSTITUTION OF INDIA, PRAYING TO I) ISSUE A WRIT OF CERTIORARI OR SUCH OTHER WRIT QUASHING POSSESSION NOTICE ON 27.01.2026, ISSUED BY RESPONDENTNO.1-3 AT ANNEXURE-'H' IN THE INTEREST OF JUSTICE AND EQUITY. (II) AND PASS SUCH OTHER ORDERS AS MAY BE DEEMED APPROPRIATE IN HE CIRCUMSTANCES OF THE CASE IN THE ENDS 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 or such other writ quashing Possession notice on 27.01.2026, issued by respondent no.1-3 at Annexure-'H' in the interest of justice and equity.

(ii) And pass such other orders as may be deemed appropriate in the circumstances of the case in the ends of justice and equity."

2. Learned counsel appearing for the petitioners submits the respondent/Bank has already initiated the proceedings under Section 14 of the SARFAESI Act and the same is pending before the Debts Recovery Tribunal (DRT), wherein the petitioners are contesting the same.

3. Though the petitioners are contesting the matter before the DRT, still they have come before this Court seeking the relief. This Court cannot entertain such a writ petition, as already the matter is pending before the DRT. In these circumstances, the only remedy available to the petitioners is



to go before DRT and seek appropriate relief. Accordingly, this Court proceeds to pass the following:

ORDER

- a) The writ petition is ***disposed of*** giving liberty to the petitioners to avail an appropriate remedy before the DRT in accordance with law.
- b) All pending I.As. in this petition shall stand closed.

**Sd/-
JUSTICE LALITHA KANNEGANTI**

JTR
CT: UMD
List No.: 1 Sl No.: 12