



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 24TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

WRIT PETITION NO.200306 OF 2025 (GM-RES)

BETWEEN:

HARI SINGH PAWAR S/O DULU PAWAR,
AGED ABOUT 50 YEARS, OCC: EX-ARMY
R/O NEAR SEVALAL TEMPLE,
MUGULNAGAON VILLAGE,
TQ. AND DIST. KALABURAGI.

...PETITIONER

(BY SRI. SRINIVAS. B. JOSHI, ADVOCATE)

AND:

THE BRANCH MANAGER,
STATE BANK OF INDIA,
INDUSTRIAL ESTATE,
BHANKUR BRANCH, SHAHABAD TALUKA,
KALABURAGI DISTRICT.

...RESPONDENT

(BY SRI. MANVENDRA REDDY, ADVOCATE)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE A WRIT OF CERTIORARI OR ANY OTHER WRIT OR ORDER QUASHING IMPUGNED POSSESSION NOTICE DATED 26.12.2024 ISSUED BY THE RESPONDENT VIDE ANNEXURE-C.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE PRADEEP SINGH YERUR





ORAL ORDER

Learned counsel for the petitioner is not present when the matter is taken up for the second time at 03.13 p.m.

2. The present petition is filed seeking to quash the possession notice issued by the respondent-Bank. This Court by interim order dated 03.02.2025, showing leniency, passed an order for depositing 25% of the amount due within two weeks from the date of the said order and to deposit another 25% within four weeks thereafter and on such condition, the possession notice was stayed.

3. It is now submitted by the learned counsel for the respondent-Bank, by filing a memo, that the Bank has taken possession of the property on 28.05.2025. The memo is placed on record. It is also stated that the borrower-petitioner has not paid the outstanding loan or the amount as ordered by this Court.



4. It is also relevant to note at this stage that any proceedings initiated against the Bank is not maintainable before this Court in the writ jurisdiction under Article 226 or 227 of the Constitution of India, as there is alternative and efficacious remedy available to the petitioner. Therefore, this petition does not survive on three counts, one petition not being maintainable and secondly, petitioner having not conformed to the interim order passed by this Court, so also for the reason that the respondent-Bank has already taken possession of the property. Accordingly, the petition stands dismissed.

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

NB
LIST NO.: 2 SL NO.: 22
CT:SI