



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 23RD DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE S.VISHWAJITH SHETTY

WRIT PETITION NO. 201030 OF 2025 (CS-DAS)

BETWEEN:

SRI TIMMAPPA S/O NARASAPPA
AGE: 32 YEARS, OCC: AUTO DRIVER
R/O H NO 3-8-27/2, WARD NO 10, BEROON QULLA,
RAICHUR.
TQ. AND DIST. RAICHUR 584101

...PETITIONER

(BY SRI. ARUNKUMAR AMARGUNDAPPA., ADVOCATE)

AND:

1. RECOVERY OFFICER CUM ASSISTANT REGISTRAR
OF CO OPERATIVE SOCIETIES COURT,
KARNATAKA STATE SOUDHARDA FEDERAL
CO-OPERATIVE LTD.
68, 1ST FLOOR, 17 TH AND 18TH CROSS,
MAGROSA RAOD, MALLESHWARAM,
BENGALURU 560055
2. SRI BHRAMARAMBA PATTINA SOUHARDA SAHAKARI
SANGHA LTD.
BRANCH OFFICE AT SANTOSHI TALKIES AND NEW
AMRUTHA HOSPITAL ROAD, SIYATALAB, RAICHUR
TQ. AND DIST. RAICHUR 584102.
REPRESENTED BY ITS BRANCH MANAGER

...RESPONDENTS

(BY SRI. PUNIT MARKAL, ADV FOR R2; R1 SERVED)





THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE FOLLOWING WRITS OR APPROPRIATE DIRECTIONS A) ISSUE A WRIT IN THE NATURE OF CERTIORARI TO QUASH THE IMPUGNED ATTACHMENT ORDER BEARING EP NO.ಕ.ರಾ.ಸೋ.ಸಂ.ಸನಿ/ಸ.ಸಂ.ನಿ/ವ/179/2024-25 DATED 24-09-2024 ISSUED BY THE RESPONDENT NO.1 VIDE ANNEXURE-C IN SO FAR AS PETITIONER IS CONCERNED CONSEQUENTLY QUASH THE AUCTION ORDER DATED 13-02-2025 VIDE ANNEXURE-C2, ISSUED BY THE 1ST RESPONDENT. B) SUCH FURTHER ORDER OTHER RELIEFS BE GRANTED TO THE PETITIONER TO WHICH THE PETITIONER WOULD BE FOUND ENTITLED TO ON THE FACTS AND CIRCUMSTANCES OF THE CASE.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:
CORAM: HON'BLE MR. JUSTICE S.VISHWAJITH SHETTY

ORAL ORDER

Learned counsel for the petitioner submits that the writ petition may be dismissed as not pressed with liberty to avail alternative remedy of filing an appeal before the competent authority, challenging the ex-parte award.

2. Learned counsel for the respondent-society submits that liberty may be reserved to respondent-society to initiate fresh action, in accordance with law to bring the property belonging to the petitioner for sale.



3. The writ petition is ***dismissed*** as not pressed, with liberty to the petitioner to avail alternative remedy. It is made clear that order passed by this Court will not come in the way of respondent-society to initiate fresh action for bringing property of the petitioner for sale, which is subject matter of this writ petition.

Sd/-
(S.VISHWAJITH SHETTY)
JUDGE

NJ
List No.: 1 Sl No.: 51