



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 26TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE S.VISHWAJITH SHETTY

WRIT PETITION NO. 202202 OF 2024 (GM-RES)

BETWEEN:

SRI. SAKARAM CHAVAN,
S/O LATE MANIKRAO CHAVAN,
AGED ABOUT 65 YEARS,
R/O NEAR BY PASS ROAD,
NH-65, HUMNABAD,
DIST. BIDAR-585330.

...PETITIONER

(BY SRI. RATNA N.SHIVAYOGIMATH, ADVOCATE)

AND:

Digitally signed by
SWETA
KULKARNI
Location: HIGH
COURT OF
KARNATAKA

1. THE BRANCH MANAGER,
CANARA BANK, MAIN BRANCH-2,
JANAWADA ROAD, BIDAR-585401.
2. THE POLICE INSPECTOR,
NEW TOWN POLICE STATION,
BIDAR-585401.
3. SUMIT S/O GAJENDRA CHAVAN,
AGED ABOUT 21 YEARS,
R/O AMBEDKAR CIRCLE, GANDHI NAGAR,
HUMNABAD, DIST. BIDAR-585401.

...RESPONDENTS



(BY SRI. NARESH KULKARNI, ADVOCATE FOR R1;
SRI SHESHADRI JAISHANKAR M., AGA FOR R2;
SRI DEEPAK V.BARAD, ADVOCATE FOR R3)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING THAT THIS HON'BLE COURT MAY BE PLEASED TO ISSUE A) ISSUE A WRIT OR DIRECTION OR ORDER WRIT IN THE NATURE OF CERTIORARI, QUASHING THE REQUEST LETTER DATED 26.03.2023 AND 29.03.2024, FOR FREEZING THE ACCOUNT, VIDE ANNEXURES-H AND L RESPECTIVELY; B) ISSUE A WRIT OR DIRECTION OR ORDER WRIT IN THE NATURE OF MANDAMUS, DIRECTING THE RESPONDENT NO.1 TO DEFREEZE THE SB ACCOUNT IN A/C NO.110086637653 AND FD ACCOUNT OF THE PETITIONER IN NO.140100526882/1 AND NO.140100526882/2; AND C) PASS ANY SUCH ORDER OR ORDERS AS DEEMED FIT BY THIS HON'BLE COURT UNDER THE FACTS AND CIRCUMSTANCES OF THE CASE IN THE INTEREST OF JUSTICE AND EQUITY.

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

CORAM: HON'BLE MR. JUSTICE S.VISHWAJITH SHETTY



ORAL ORDER

This writ petition under Articles 226 and 227 of the Constitution of India is filed seeking for the following reliefs :

- a) Issue a writ or direction or order writ in the nature of certiorari, quashing the request letter dated 26.03.2023 and 29.03.2024, for freezing the account, vide Annexures-H and L respectively;
- b) Issue a writ or direction or order writ in the nature of mandamus, directing the respondent No.1 to defreeze the SB Account in A/c No.110086637653 and FD Account of the petitioner in No.140100526882/1 and No.140100526882/2; and
- c) Pass any such order or orders as deemed fit by this Hon'ble Court under the facts and circumstances of the case in the interest of justice and equity.

2. Learned counsel for the parties submits that dispute between the parties has been amicably settled before Mediation Centre at Kalaburagi and a settlement report has been also executed between the parties on 23.03.2026. They submit that this writ petition may be disposed of in terms of the aforesaid settlement report.



3. Said submission is placed on record and the report of settlement dated 23.03.2026 which is signed by the parties and by their learned Advocates is taken on record. In paragraph Nos.2 to 6 of the memorandum of settlement, it is stated as follows :

- "2. That the Respondent No.3 & Petitioner are relatives and both have amicably come to the settlement of dispute regarding the award amount in respect of Sy. No.553/1 & 2 of Humnabad, Dist: Bidar of Rs.76,42,734/- which was deposited by the NHAI.*
- 3. That the Petitioner has mistakenly transferred said amount in his account, the Respondent No.3 complained to the Respondent No.1-Bank on that complaint account has been freezed.*
- 4. That now both the Petitioner and Respondent No.3 have mutually agreed to settle the matter, the Petitioner has to pay Rs.22,00,000/- (Rupees Twenty Two Lakhs only) by Cheque No.*544362 of Canara Bank, Bidar Main of SB A/c No.110086637653 dated 18.03.2026.*
- 5. That the above freezed SB A/c No.110086637653 of Petitioner may be defreezed as prayed in the W.P.No.202202/2024 to honor the Cheque which was given to the Respondent No.3. That the Respondent No.1-Bank is directed that until the aforesaid Cheque No.*544362 of Canara Bank, Bidar Main of SB A/c No.110086637653 dated 18.03.2026 is realized in favour of the Respondent No.3, thereafter the petitioner is entitled to operate and utilized the aforesaid SB A/c No.110086637653 of Canara Bank, Bidar.*

*Corrected vide Court order dated 22.04.2026



6. *It is further agreed by the Respondent No.3 would undertake to support to nullify/quash Crime No.73/2024 in CC No.793/2025 & Crl.P.No.201625/2025, in view of the above said settlement and also agreed to withdraw the complaint if any made by the Respondent No.3 to the Bar Council No.C104/2025 dated 17.05.2025."*

4. The petitioner has handed over the cheque as mentioned in paragraph No.4 of the report of settlement for a sum of Rs.22,00,000/- (Rupees Twenty Two Lakhs only) in favour of 3rd respondent, who is present in person before the Court and has acknowledged the receipt of the aforesaid cheque.

5. Learned counsel for the petitioner submits that the bank account of the petitioner bearing S.B.A/c. No.110086637653 of Canara Bank, Bidar shall be operated by the petitioner only after the aforesaid cheque is realized.

6. Said submission is placed on record.

7. In view of the aforesaid, the following order :



- i) Writ petition is ***disposed of*** in terms of the settlement arrived between the parties with liberty to respondent No.3 to file necessary application to revoke this order, in the event the cheque issued by the petitioner is dishonoured.
- ii) It is needless to state that respondent – Bank shall forthwith defreeze the aforesaid bank account of the petitioner.

Sd/-
(S.VISHWAJITH SHETTY)
JUDGE