



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. 204138 OF 2025 (GM-DRT)

BETWEEN:

SMT LALITHAMMA W/O LAXMAN
AGE: 44 YEARS, OCC: TAILORING WORK,
R/O H NO. 4-4B/211, NEW YEDALAPUR SHANTI
NAGAR, RAICHUR 584101

...PETITIONER

(BY SRI. SACHIN MADHUKAR MAHAJAN.,ADVOCATE)

AND:

KARUR VYSYA BANK
ASSET RECOVERY BRANCH
DIVISIONAL OFFICE BUILDING
NO.6, SHRI VASAVI TEMPLE ROAD,
NEAR SAJJAN RAO CIRCLE
V V PURAM, BENGALURU - 560004
REPRESENTED BY ITS CHIEF MANAGER /
AUTHORISED OFFICER

...RESPONDENT

(BY SRI. S S KUMBAR.,ADV (VC))

Digitally signed by
NIJAMUDDIN
JAMKHANDI
Location: HIGH
COURT OF
KARNATAKA



THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA, PRAYING TO, I) ISSUE A WRIT OR ORDER OR DIRECTION IN THE NATURE OF CERTIORARI AND QUASH THE IMPUGNED COMMUNICATION DATED NIL, BEARING NO.NIL, SENT BY E-MAIL, BY THE RESPONDENT, VIDE ANNEXURE-E, WITH A FURTHER DIRECTION TO THE RESPONDENT BANK TO CONSIDER THE REPRESENTATION DATED 15-10-2025, VIDE ANNEXURE-D AND DATED 05-11-2025, VIDE ANNEXURE-D1, EXTEND THE TIME FOR PAYMENT OF THE REMAINING AMOUNT AND COMPLETE THE SALE FORMALITIES OF THE IMMOVEABLE PROPERTY WHICH IS SUBJECT MATTER OF E-AUCTION NOTICE DATED 06-08-2025 VIDE ANNEXURE-A, II) ISSUE ANY SUCH WRIT OR ORDER OR DIRECTION AS THIS HONOURABLE COURT DEEM FIT TO ISSUE IN THE FACTS AND CIRCUMSTANCES OF THE CASE.

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

ORAL ORDER

This writ petition is filed under Article 226 of the Constitution of India seeking the following reliefs:

"i) Issue a writ or order or direction in the nature of certiorari and quash the impugned communication dated nil, bearing no.nil, sent by e-mail, by the respondent, vide Annexure-E, with a further direction to the respondent bank to consider the representation dated 15-10-2025, vide Annexure-D and dated 05-11-2025, vide Annexure-D1, extend the time for payment of the remaining amount and complete the sale formalities of the immoveable



property which is subject matter of E-auction notice dated 06-08-2025 vide Annexure-A,

ii) Issue any such writ or order or direction as this Honourable Court deem fit to issue in the facts and circumstances of the case."

2. Heard learned counsel for the parties.

3. Petitioner had participated in the E-auction that was held by the respondent-bank, wherein the property bearing plot No.43, Sy.No.107/1, bearing Municipal No.13-7-107/43 situated at Adi Basaveshwara colony, Yermarus Raichur, measuring 60' x 38' was brought for sale and she was declared as successful bidder for a sum of Rs.58,50,000/-. According to the petitioner, she had deposited a sum of Rs.14,62,500/- as earnest money and subsequently paid another some of Rs.20,37,500/-. On the ground that balance amount was not deposited with respondent-bank, it had issued the impugned E-mail communicated at Annexure-E, informing the petitioner that the earnest money deposited by her would be forfeited and sale made in her favour would be cancelled,



reserving right to re-sell the property under the provisions of SARFAESI Act.

4. This Court on 23.12.2025 had stayed further action pursuant to the communication at Annexure-E, subject to the condition that petitioner deposits entire due amount on or before 29.12.2025.

5. Learned counsel for the petitioner submits that interim order passed by this Court on 23.12.2025 has been complied and the petitioner has now deposited the balance amount and thereby, the entire bid amount of Rs.58,50,000/- is deposited by the petitioner.

6. Learned counsel for the respondent-bank does not dispute the submission made by the learned counsel for the petitioner and additionally he submits that the bank is ready and willing to execute the sale certificate in favour of the petitioner, since the petitioner has deposited the entire bid amount of Rs.58,50,000/-.



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

ORDER

- i. Writ petition is ***allowed***.
- ii. The impugned communication dated nil at Annexure-E issued to the petitioner by respondent-bank is quashed and respondent-bank is directed to complete the sale formalities of the immovable property, of which the petitioner is the successful bidder.

Sd/-
(S.VISHWAJITH SHETTY)
JUDGE