



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 1ST DAY OF DECEMBER, 2025

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

THE HON'BLE MR. JUSTICE UMESH M ADIGA

WRIT PETITION NO. 3216 OF 2021 (GM-DRT)

BETWEEN:

SRI V S RAMACHANDRA
S/O V SAMPANGIRAMAIAH
AGED ABOUT 70 YEARS
R/A NO.195, 5TH MAIN ROAD
CHAMARAJPET
BANGALORE- 560018

...PETITIONER

(BY SRI. PREETHAM PRABHAKAR, ADVOCATE FOR
SRI. D PRABHAKAR., ADVOCATE)

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by
SHARADAVANI
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Location: High
Court of
Karnataka

AND:

1. M/S INDIAN BANK
REPRESENTED BY ITS
CHIEF MANAGER/AUTHORIZED OFFICER
KORAMANGALA BRANCH
NO.51, 6TH BLOCK
KORAMANGALA
BANGALORE- 560 095



2. THE RECOVERY OFFICER
DEBTS RECOVERY TRIBUNAL
KRISHI BHAVAN
HUDSON CIRCLE
BANGALORE-560001

...RESPONDENTS

(BY SRI. YOGEESHA KUMARA., ADVOCATE FOR R1;
R2 IS SERVED AND UNREPRESENTED)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF CERTIORARI QUASHING THE ORDER DATED 23/05/2019 PASSED BY THE DEBT RECOVERY APPELLATE TRIBUNAL, CHENNA IN RA NO.38/2010 IN AOR NO.11/2008 ON THE FILE OF THE DEBT RECOVERY TRIBUNAL, BANGALORE (ANNEXURE-A)., AND ETC.

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

CORAM: HON'BLE MR. JUSTICE D K SINGH
and
HON'BLE MR. JUSTICE UMESH M ADIGA



ORAL ORDER

(PER: HON'BLE MR. JUSTICE D K SINGH)

1. The matter has been taken up in the revised call. The respondents are absent in the revised call. Learned counsel for the petitioner is present in the Court. He submits that he was not able to contact his client.
2. The present writ petition has been filed impugning the order dated 23.05.2019 passed by the Debt Recovery Appellate Tribunal, Chennai in Regular Appeal No.38/2010.
3. The petitioner had availed loan from Bank of Tanjavur Limited to the tune of Rs.14,80,200/- prior to the year 1984. When the petitioner could not repay the loan, the Bank preferred a suit for recovery of money along with interest, which was decreed on 19.04.1988. As the Bank was on the same premises which was mortgaged for availing loan, the petitioner - landlord was granted six months' time to settle the dues of rent and to clear the other dues of the Bank. In the year 1990, the lending bank merged with the Indian Bank and the Indian Bank



became the assignee of the loan amount outstanding against the petitioner. The assignee Bank preferred O.A. before the Debt Recovery Tribunal, Bengaluru, for a sum of Rs.50,79,634/-.

4. During the pendency of the O.A., the petitioner approached the Bank for one-time settlement. However, the one-time settlement could not be reached as the Bank proceeded with recovery proceedings. The Debt Recovery Tribunal determined the liability as on 09.01.2008 to the tune of Rs.65,31,628.65.

5. Against the said order, the petitioner filed an appeal which came to be dismissed by the impugned order passed by the Debt Recovery Appellate Tribunal on 23.05.2019. The only contention raised by the learned counsel for the petitioner is that the two amounts of Rs.5,00,000/- each, total Rs.10,00,000/- have not been given credit thereto.

6. We have perused the impugned order. We do not think that such a contention is based on any record. We



may note that the present writ petition is in respect of the proceedings which were initiated by the Bank way back in the year 1990 and despite 35 years having been gone, the proceedings are yet to be finalized.

7. We have perused the impugned order. We do not find that either the Debt Recovery Appellate Tribunal or the Debt Recovery Tribunal had committed an error of jurisdiction of law which would warrant an interference by this Court in exercise of its powers under Article 227 of the Constitution of India. Therefore, we **dismiss** this appeal.

Sd/-
(D K SINGH)
JUDGE

Sd/-
(UMESH M ADIGA)
JUDGE

GH
List No.: 1 Sl No.: 10