



CNR: KAHC010134482022

NC: 2026:KHC:47524
WP No. 6439 of 2022

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 1ST DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MS. JUSTICE JYOTI M

WRIT PETITION NO. 6439 OF 2022 (GM-DRT)

BETWEEN:

SRI. MOHAMMED ASARUDDIN,
S/O. LATE MOHAMMED RAFFIQUE,
AGED ABOUT 46 YEARS,
R/AT 'MUJITHBA', KARAMBA,
BAJPE POST, MANGALORE,
D.K. DISTRICT - 574 142.

...PETITIONER

(BY SRI. HARSHA G., ADVOCATE FOR
SRI. SACHIN B.S., ADVOCATE)

AND:

MANGALORE CATHOLIC
CO-OPERATIVE BANK LIMITED,
REPRESENTED BY
AUTHORIZED OFFICER / MANAGER,
ADMINISTRATIVE OFFICE,
MCC BANK BUILDING,
ST. ALOCIOUS COLLEGE ROAD,
HAMPANAKATTA, MANGALORE,
D.K. DISTRICT - 575 001.

...RESPONDENT

(BY SRI. VIJAY KRISHNA BHAT M., ADVOCATE)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA, SEEKING CERTAIN
RELIEFS.



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THIS WRIT PETITION IS LISTED FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, AN ORDER IS MADE AS UNDER:

ORAL ORDER

Sri.Harsha G., counsel for Sri.Sachin B.S., for the petitioner and Sri.Vijay Krishna Bhat, counsel for respondent appeared in person.

2. This petition is filed seeking following reliefs:

- (i) *Quash the impugned notice dated 16.12.2021 issued by the respondent as per the Annexure-A and entire proceedings pursuant to Annexure-A.*
- (ii) *Grant such other order/s as this Hon'ble Court might deem fit in the facts and circumstances of this case, in the interest of justice and equity.*

3. Counsel for the respective parties urged several contentions. Heard the arguments and perused the papers with care.

4. The authorized officer of the bank had issued a possession notice on 16.12.2021. The petitioner, instead of approaching the Tribunal, has hurriedly approached this Court. As there is a statutory remedy available for the petitioner,



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there is no need to exercise discretionary powers under writ jurisdiction. The petitioner may approach the appropriate forum if so advised and if the law permits. Accordingly, the writ petition is ***dismissed***.

Because of dismissal of the Writ Petition, interim order granted if any stands discharged and pending interlocutory applications if any are disposed of.

**Sd/-
(JYOTI M)
JUDGE**

SS
List No.: 1 Sl No.: 24