



CNR: KAHC010277152024

NC: 2026:KHC:42222
WP No. 13390 of 2024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 10TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.I.ARUN

WRIT PETITION NO.13390 OF 2024 (CS-RES)

BETWEEN:

1. SMT. SUJATHA C
D/O LATE CHIKKAMUNISWAMAPPA
W/O. LATE MURALI M
AGED ABOUT 50 YEARS,
RESIDING AT NO.07,
KODIHALLI VILLAGE,
JADIGENAHALLI HOBLI,
HOSAKOTE TALUK,
BENGALURU RURAL DISTRICT-560067.

...PETITIONER

(BY SRI. KIRAN B., ADVOCATE)

AND:

1. THE REGISTRAR
OF CO-OPERATIVE SOCIETY
HAVING OFFICE AT NO.1,
ALI ASKAR ROAD,
BENGALURU-560052.
2. THE SWAYAM KRUSHI SOUHARDHA
CREDIT CO-OPERATIVE SOCIETY LTD.,
REGISTERED UNDER THE KARNATAKA
CO-OPERATIVE SOCIETY ACT-1959
HAVING OFFICE AT KARNATAKA STATE
SOUHARDHA SAMYUKTHA SAHAKARI NIYAMITHA

Digitally
signed by
GEETHA P G

Location:
HIGH
COURT OF
KARNATAKA



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NIRMAN BHAVANA,
DR. RAJKUMAR ROAD,
1ST BLOCK, RAJAJINAGAR,
BENGALURU-560010
REPRESENTED BY IT'S THE LIQUIDATOR.

3. THE RECOVERY OFFICER
(RULE-441) MEDIATION COURT
OF KARNATAKA SOUHARDA
SAMYUKTHA SAHAKARI NIYAMITHA,
HAVING OFFICE AT NO.69,
17 AND 18 MIDDLE CROSS,
MARGOSA ROAD, MALLESHWARAM,
BENGALURU-560055.

...RESPONDENTS

(BY SMT. SPOORTHY V., HCGP. FOR R.1;
R.2 AND R.3: SERVED AND UNREPRESENTED.)

THIS PETITION IS FILED UNDER ARTICLES 226 & 227 OF
THE CONSTITUTION OF INDIA, PRAYING TO QUASH THE
DIRECTION ORDER DATED 06.04.2024 VIDE ORDER
NO.RSR/SAUKA/156/2012-13, PASSED ON 20.07.2013 BY THE
RESPONDENT NO.1 HEREIN, BY APPOINTING THE
RESPONDENT NO.3 FOR TRANSFERRING THE SCHEDULE
PROPERTIES IN THE NAME OF THE RESPONDENT NO.2
ANNEXURE-A, ETC.

THIS PETITION COMING ON FOR PRELIMINARY HEARING
IN 'B' GROUP, THROUGH PHYSICAL HEARING/VIDEO
CONFERENCING, THIS DAY, ORDER WAS MADE THEREIN AS
UNDER:



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CORAM: HON'BLE MR. JUSTICE M.I.ARUN

ORAL ORDER

1. The property of the petitioner has been attached in proceedings instituted in respect of the affairs of respondent no.2-Society. It is attached on the premise that the petitioner has been a member as well as a Director of respondent No.2-Society.
2. The case of the petitioner is that she is neither a member nor a Director of respondent No.2-Society and the property could not have been attached.
3. This Court, on 04.04.2025, had passed the following interim order:

"ORAL ORDER

1. *Learned Additional Government Advocate is directed to accept notice for respondent No.1.*
2. *Issue emergent notice to respondent Nos.2 and 3, returnable by 05.06.2025.*
3. *The submission of learned counsel for the petitioner is that, petitioner is not a member nor is an office bearer of respondent No.2.*



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4. The petitioner has not borrowed any amount from respondent No.2 nor he has acted as a guarantor to any loan borrowed from respondent No.2.

5. In that view of the matter, the order dated 06.04.2024 at Annexure-A is stayed, till the next date of hearing insofar as the petitioner's schedule property is concerned.

3. Process fee is directed to be paid on or before 17.04.2025, failing which, the interim order will stand automatically vacated."

4. Learned counsel for the petitioner submits that the proceedings relating to the affairs of the Society are pending before respondent no.1, and that the order under challenge has been passed in relation to the said pending proceedings.

5. Learned AGA for respondent No.1, upon instructions, submits that the petitioner may be directed to make an application before respondent no.1-Authority stating the same facts and it would be examined in accordance with law and appropriate orders will be passed.

6. Learned counsel for the petitioner is agreeable for the same.



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7. For the aforementioned reasons, the writ petition is hereby disposed of with liberty to the petitioner to make a necessary application before respondent no.1 in the proceedings, which is said to be pending in respect of respondent no.2-Society and if the petitioner is able to establish that she is neither a member nor a Director of respondent no.2-Society and was in no way involved in malfeasance and misfeasance of the affairs of respondent no.2-Society and that she is the owner of the property concerned, respondent no.1-Authority shall release the same from attachment by passing appropriate orders in accordance with law.

8. Till an appropriate decision is taken by respondent no.1, the interim order dated 04.04.2025 passed by this Court shall continue to operate.

SD/-
(M.I.ARUN)
JUDGE

hkh.
List No.: 1 SI No.: 39