



**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 10<sup>TH</sup> DAY OF JUNE, 2026**

**BEFORE**

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

**WRIT PETITION NO. 26496 OF 2025 (CS-RES)**

**BETWEEN:**

1. SMT. ASHA S SALIYAN  
W/O MR. SURSH PUTHRAN  
AGED ABOUT 51 YEARS  
HOUSE NO.1-24, AKSHYA NILAYA  
KUNTABETTU, BELMANU  
KARAKALA TALUKL-576 111

...PETITIONER

(BY SRI. K. SHASHIKANTH PRASAD, ADVOCATE)

**AND:**

1. THE STATE OF KARNATAKA  
DEPARTMENT OF CO-OPERATIVE SOCIETY  
VIDHANA SOUDHA  
DR.AMBEDKAR VEEDHI  
BENGALURU 560 001  
REPRESENTED BY CHIEF EXECUTIVE
2. THE RECOVERY OFFICER (NI 441)  
AND ASSISTANT REGISTRAR OF  
CO-OPERATIVE SOCIETY  
KA.RA.SOW.SOW.SUM.SA.NI  
BENGALURU 560 001  
REPRESENTED BY  
THE ASSISTANT RIGISTRAR

Digitally  
signed by V  
MANJUSHA  
BAI  
Location:  
HIGH  
COURT OF  
KARNATAKA



3. SHRI MOOKAMBIKA VIVIDODDESHA  
SOWHARDA SAHAKARI SANGHA (N)  
KUNDAPURA  
JULIE-YO RESIDENCY  
GROUND FLOOR, ANKADA KATTE  
N.H.66, HANGALURU-576 217  
KUNDAPURA DISTRICT  
REPRESENTED BY BRANCH MANAGER  
REGISTERED UNDER CO-OPERATIVE SOCIETY ACT
4. MR. LATHISH KANCHAN  
S/O MR. SHEKAR KANCHAN  
AGED ABOUT 40 YEARS  
BEHIND KRISHNA MANDIR  
BAILAKLERE, MALPE-576 108  
UDUPI TALUK
5. MR.RAGHAVENDRA KANCHAN  
W/O MR. SHEKAR KANCHAN  
AGED ABOUT 42 YEARS  
HOUSE WIFE  
BEHIND KRISHNA MANDIR  
BAILAKERE, MALPE  
UDUPI TALUK-576 108

...RESPONDENTS

(BY SRI. YOGESH D.NAIK, AGA FOR R1 & R2;  
SRI. PRADEEP NAIK K., ADVOCATE FOR R3;  
VIDE ORDER DATED 02.09.2025 NOTICE TO R4 & R5 IS  
DISPENSED WITH)

THIS PETITION IS FILED UNDER ARTICLES 226 & 227 OF  
THE CONSTITUTION OF INDIA, PRAYING TO QUASH THE  
AUCTION NOTICE IN FORM NOS.8 AND 9 DATED 9.07.2025 IN  
EXECUTION PETITION NO.KA.RA.SOW.SUM.SA.NI/SA.SUM.SA.



NI/VA, AA/424/2024-25 FOR THE AUCTION TO BE HELD ON 8.09.2025 ISSUED BY RESPONDENT NO.2 [ANNEXURES-A AND B] AND ETC.

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

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

**ORAL ORDER**

1. The petitioner has challenged the auction notice issued in furtherance of the award passed in respect of a default committed in repayment of a loan.
2. Learned AGA upon instructions, submits that, the petitioner is having an alternative and efficacious remedy under Sections 105 and 106 of the Karnataka Co-operative Societies Act, 1959.
3. As the petitioner is having an alternative and efficacious remedy, the petition stands ***dismissed*** reserving the liberty to the petitioner to avail the alternative remedy in accordance with law.



**NC: 2026:KHC:27813  
WP No. 26496 of 2025**

If the petitioner were to prefer an appeal, the appellate authority shall condone the delay equivalent to the time spent by the petitioner in pursuing the instant writ petition.

**Sd/-  
(M.I.ARUN)  
JUDGE**

PGG  
List No.: 1 Sl No.: 52