



CNR: KAHC010628772025

NC: 2026:KHC:40234
WP No. 28722 of 2025
C/W WP No. 28721 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 31ST DAY OF JULY, 2026

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO. 28722 OF 2025 (GM-CPC)

C/W

WRIT PETITION NO. 28721 OF 2025 (GM-CPC)

IN WP No. 28722/2025

BETWEEN:

SMT. CHANDRIKA BAI,
W/O LATE S. LAKSHMAN NAIK,
AGED ABOUT 75 YEARS,
RESIDING AT NO.71/1, G STREET,
JOGUPALYA, ULSOOR,
BANGALORE - 560 008.
REPRESENTED BY ITS
GPA HOLDER M.L. NAGARAJU,

...PETITIONER

(BY SRI. MANU K., ADVOCATE)

AND:

1. MELIORA ASSET RECONSTRUCTION
COMPANY PVT. LTD.,
106, BHARAT TOWERS,
5TH LANE, DWARAKA NAGAR,
VISHAKAPATNAM - 530 016,
ANDRA PRADESH.

REPRESENTED BY ITS
AUTHORIZED OFFICER AND
SENIOR MANAGER,
REGISTERED UNDER COMPANIES ACT 1956.

Digitally
signed by
SUVARNA T
Location:
HIGH COURT
OF
KARNATAKA



CNR: KAHC010628772025

NC: 2026:KHC:40234
WP No. 28722 of 2025
C/W WP No. 28721 of 2025

2. ANDHRA BANK,
HAVING ITS HEAD OFFICE AT
NO.5-9-11, DR PATTABHI BHAVAN
SECRETARIAT ROAD, SAIFABAD,
HYDERABAD - 500 004.

ALSO HAVING BRANCH OFFICE
AT NR ROAD,
BENGALURU - 560 002.
REPRESENTED BY ITS
CHIEF MANAGER
NR ROAD BRANCH,
BENGALURU.

3. SRI. JAYESH KUMAR,
AGED ABOUT 52 YEARS,
S/O LATE SRI MULTAN MALJI,
RESIDING AT NO.37/2,
MAHANTH LAYOUT,
BULL TEMPLE ROAD,
BANGALORE - 560 019.
4. SRI BADAMI DEVI
AGED ABOUT 66 YEA RS
W/O SRI M CHAMPALAL SHAH,
RESIDING AT NO. 37/2,
MAHANTH LAYOUT,
BULL TEMPLE ROAD,
BANGALORE - 560019
5. SMT. SEEMA DEVI
AGED ABOUT 62 YEARS
W/O SRI MOHANLAL SHAH,
RESIDING AT NO. 37/2,
MAHANTH LAYOUT,



CNR: KAHC010628772025

NC: 2026:KHC:40234
WP No. 28722 of 2025
C/W WP No. 28721 of 2025

BULL TEMPLE ROAD,
BANGALORE – 560019

6. SMT. SAYARI DEVI
AGED ABOUT 54 YEARS
W/O SRI SURESH KUMAR SHAH,
RESIDING AT NO. 37/2,
MAHANTH LAYOUT,
BULL TEMPLE ROAD,
BANGALORE – 560019

7. SRI KESHA MURTHY
S/O LATE MUNISHAMI,
HUSBAND OF LATE ANUSUYA
AGED ABOUT 87 YEARS
ADDRESS NOT KNOWN

LAST RESIDING AT NO. 71/1
G STREET, JOGUPALYA, ULSOOR,
BANGALORE – 560008

8. SMT. SHOBHA
W/O LATE BHASKAR REDDY
DAUGHTER IN LAW
KESHAVAMURTHY AND LATE ANUSUYA
AGED ABOUT 52 YEARS
ADDRESS NOT KNOWN

LAST RESIDING AT NO. 71/1
G STREET, JOGUPALYA, ULSOOR,
BANGALORE – 560008

9. SMT. KAVYA
D/O BHASKAR REDDY AND GRANDSON OF
KESHAVAMURTHY AND LATE ANUSUYA



CNR: KAHC010628772025

NC: 2026:KHC:40234
WP No. 28722 of 2025
C/W WP No. 28721 of 2025

AGED ABOUT 31 YEARS
ADDRESS NOT KNOWN
LAST RESIDING AT NO. 71/1
G STREET, JOGUPALYA, ULSOOR,
BANGALORE – 560008

10. SMT. NAVYA
D/O LATE BHASKAR REDDY
AND GRANDDAUGHTER OF
KESHAVAMURTHY AND LATE ANUSUYA
AGED ABOUT 29 YEARS
ADDRESS NOT KNOWN
LAST RESIDING AT NO. 71/1
G STREET, JOGUPALYA, ULSOOR,
BANGALORE – 560008
11. SRI MOHAN
S/O KESHAHA MURTHY
AND LATE ANUSUYA
AGED ABOUT 59 YEARS
ADDRESS NOT KNOWN
LAST RESIDING AT NO. 71/1
G STREET, JOGUPALYA, ULSOOR,
BANGALORE – 560008
12. SMT. MANJULA
D/O KESHAHA MURTHY
AND LATE ANUSUYA
AGED ABOUT 48 YEARS
ADDRESS NOT KNOWN
LAST RESIDING AT NO. 71/1
G STREET, JOGUPALYA, ULSOOR,
BANGALORE – 560008



NC: 2026:KHC:40234
WP No. 28722 of 2025
C/W WP No. 28721 of 2025

CNR: KAHC010628772025

13. SMT. NALINI
W/O ASWATHNARAYANA
AGED ABOUT 75 YEARS
RESIDING AT NO.21, 17TH E CROSS,
BINNAMANGALA 2ND STAGE,
INDIRANAGAR, BANGALORE - 560038

14. SRI YOGESH A
S/O ASWATHNARAYANA
AGED ABOUT 40 YEARS
RESIDING AT NO.21, 17TH E CROSS,
BINNAMANGALA 2ND STAGE,
INDIRANAGAR, BANALORE - 560038

...RESPONDENTS

(BY SRI. VINAY SWAMY C., ADVOCATE FOR R1;
SRI. K. CHANDRANATH ARIGA, ADVOCATE FOR R3 TO R6;
R2 IS SERVED;
NOTICE TO R7 TO R14 ARE DISPENSED WITH
V/O/ DT. 18.03.2026)

THIS WP IS FILED UNDER ARTICLE 227 OF THE
CONSTITUTION OF INDIA PRAYING TO-SET ASIDE THE
IMPUGNED ORDER DATED 02/09/2025 (ANNEXURE-A), PASSED
BY THE HONBLE XI ADDL. CITY CIVIL AND SESSIONS JUDGE,
BENGALURU, IN O.S. NO. 6225 OF 2025 ONLY IN SO FAR AS
NON-GRANT OF THE INTERIM ORDER IN RESPECT OF
RESPONDENTS NO. 1 TO 6 AND CONSEQUENTLY ALLOW THE
INTERLOCUTORY APPLICATIONS (IA NO 2 TO 4) (ANNEXURE-
E, F AND G RESPECTIVELY) ETC.



CNR: KAHC010628772025

NC: 2026:KHC:40234
WP No. 28722 of 2025
C/W WP No. 28721 of 2025

IN WP NO. 28721/2025

BETWEEN:

SMT. CHANDRIKA BAI
W/O LATE S. LAKSHMAN NAIK
AGED ABOUT 75 YEARS
RESIDING AT NO. 71/1, G STREET,
JOGUPALYA, ULSOOR
BANGALORE - 560 008,
REP. BY GPA HOLDER M.L. NAGARAJA

...PETITIONER

(BY SRI. MANU K., ADVOCATE)

AND:

1. LIC HOUSING FINANCE PVT LTD.,
NO.15/1, HAYES CENTRE,
HAYES ROAD, BENGALURU - 560 025
REPRESENTED BY ITS AUTHORIZED OFFICER
AND CREDIT MONITORING MANAGER
REGISTERED UNDER COMPANIES ACT, 1956
2. SRI. JAYESH KUMAR
AGED ABOUT 52 YEARS
S/O LATE SRI. MULTAN MALJI
RESIDING AT NO. 37/2
MAHANTH LAYOUT, BULL TEMPLE ROAD,
BANGALORE - 560 019.
3. SRI. BADAMI DEVI
AGED ABOUT 66 YEARS
W/O SRI. M. CHAMPALAL SHAH,
RESIDING AT NO. 37/2
MAHANTH LAYOUT, BULL TEMPLE ROAD,
BANGALORE - 560 019.



NC: 2026:KHC:40234
WP No. 28722 of 2025
C/W WP No. 28721 of 2025

CNR: KAHC010628772025

4. SMT. SEEMA DEVI
AGED ABOUT 62 YEARS,
W/O. SRI. MOHANLAL SHAH,
RESIDING AT NO. 37/2 MAHANTH LAYOUT,
BULL TEMPLE ROAD,
BANGALORE - 560 019.
5. SMT. SAYARI DEVI
AGED ABOUT 54 YEARS
W/O. SRI. SURESH KUMAR SHAH,
RESIDING AT NO.37/2, MAHANTH LAYOUT,
BULL TEMPLE ROAD,
BANGALORE - 560 019.
6. SRI. KESHAHA MURTHY
S/O LATE MUNISHAMI,
HUSBAND OF LATE ANUSUYA
AGED ABOUT 87 YEARS A
DDRESS NOT KNOWN.
LAST RESIDING AT
NO.71/1, G STREET,
JOGUPALYA, ULSOOR
BANGALORE - 560 008 ,
7. SMT. SHOBHA
W/O LATE BHASKAR REDDY
DAUGHTER-IN-LAW OF KESHAVAMURTHY
AND LATE ANUSUYA
AGED ABOUT 52 YEARS
ADDRESS NOT KNOWN.
LAST RESIDING AT NO. 71/1, G STREET,
JOGUPALYA, ULSOOR,
BANGALORE - 560 008
8. SMT. KAVYA



CNR: KAHC010628772025

NC: 2026:KHC:40234
WP No. 28722 of 2025
C/W WP No. 28721 of 2025

D/O BHASKAR REDDY AND GRANDSON OF
KESHAVAMURTHY AND LATE ANUSUYA
AGED ABOUT 31 YEARS
ADDRESS NOT KNOWN.
LAST RESIDING AT NO. 71/1,
G STREET, JOGUPALYA,
ULSOOR, BANGALORE - 560 008

9. SMT. NAVYA
D/O LATE BHASKAR REDDY AND
GRANDDAUGHTER OF KESHAVAMURTHY
AND LATE ANUSUYA
AGED ABOUT 29 YEARS
ADDRESS NOT KNOWN.
LAST RESIDING AT NO. 71/1,
G STREET, JOGUPALYA,
ULSOOR, BANGALORE - 560 008
10. SRI. MOHAN
S/O KESHAVA MURTHY AND LATE ANUSUYA
AGED ABOUT 59 YEARS
ADDRESS NOT KNOWN.
LAST RESIDING AT NO. 71/1, G STREET,
JOGUPALYA, ULSOOR,
BANGALORE - 560 008
11. SMT. MANJULA
D/O KESHAVA MURTHY
AND LATE ANUSUYA
AGED ABOUT 48 YEARS
ADDRESS NOT KNOWN.
LAST RESIDING AT NO.71/1, G STREET,
JOGUPALYA, ULSOOR
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CNR: KAHC010628772025

NC: 2026:KHC:40234
WP No. 28722 of 2025
C/W WP No. 28721 of 2025

12. SMT. NALINI
W/O ASWATHNARAYANA
AGED ABOUT 75 YEARS
RESIDING AT NO.21,
17TH E CROSS, BINNAMANGALA 2ND STAGE,
INDIRANAGAR
BANGALORE - 560 038
13. SRI. YOGESH A
S/O ASWATHNARAYANA
AGED ABOUT 40 YEARS
RESIDING AT NO.21, 17TH E CROSS,
BINNAMANGALA 2ND STAGE,
INDIRANAGAR
BANGALORE - 560 038.
14. SRI. KRISHNAIAH CHETTY
S/O LATE M. RAMAIAH CHETTY
AGED ABOUT 67 YEARS
ADDRESS NOT KNOWN.
LAST RESIDING AT NO. 71/1,
G STREET, JOGUPALYA,
ULSOOR,
BANGALORE - 560 008

...RESPONDENTS

(BY SRI. ATUL N., ADVOCATE FOR R1;
SRI. K. CHANDRANATH ARIGA, ADVOCATE FOR R2 TO R5;
NOTICE TO R6 TO R14 ARE DISPENSED WITH
VIDE ORDER DATED 26.03.2026)

THIS WP IS FILED UNDER ARTICLE 227 OF THE
CONSTITUTION OF INDIA PRAYING TO-I. SET ASIDE THE
IMPUGNED ORDER DATED 01/09/2025 (ANNEXURE-A),
PASSED BY THE HONBLE XI ADDL. CITY CIVIL AND SESSIONS



CNR: KAHC010628772025

NC: 2026:KHC:40234
WP No. 28722 of 2025
C/W WP No. 28721 of 2025

JUDGE, BENGALURU, IN O.S. NO. 6226 OF 2025 ONLY IN SO FAR AS NON-GRANT OF THE INTERIM ORDER IN RESPECT OF RESPONDENTS NO.2 AND CONSEQUENTLY ALLOW THE INTERLOCUTORY APPLICATIONS (IA NO 2 TO 4) (ANNEXURE-E, F AND G RESPECTIVELY) FILED BY THE PETITIONER IN O.S. NO. 6226 OF 2025 AS AGAINST RESPONDENT NO. 2.

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

CORAM: HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

ORAL ORDER

These Writ Petitions are filed seeking the following
prayers:

IN W.P.No.28722/2025

- i. Issue a writ of certiorari and set aside the Impugned order dated 02/09/2025 (Annexure -A), passed by the Hon'ble XI Addl. City Civil & Sessions Judge, Bengaluru in O.s.No.6225 of 2025 only in so far as non-grant of the interim order in respect of Respondents No.1 to 6 and consequently allow the Interlocutory Applications (IA No.2 to 4) (Annexure-E, F & G respectively) filed by the Petitioner in O.S.No.6225 of 2025 as against Respondent No.1 to 6;*
- ii. Grant any other consequential reliefs, including cost of Petition, as this Hon'ble Court deems fit in the facts and circumstances of this case, in the interest of justice and equity.*

IN W.P.No.28721/2025



CNR: KAHC010628772025

NC: 2026:KHC:40234
WP No. 28722 of 2025
C/W WP No. 28721 of 2025

- i. Issue a writ of certiorari and set aside the Impugned order dated 01/09/2025 (Annexure -A), passed by the Hon'ble XI Addl. City Civil & Sessions Judge, Bengaluru in O.s.No.6226 of 2025 only in so far as non-grant of the interim order in respect of Respondents No.2 and consequently allow the Interlocutory Applications (IA No.2 to 4) (Annexure-E, F & G respectively) filed by the Petitioner in O.S.No.6226 of 2025 as against Respondent No.2;*
- ii. Grant any other consequential reliefs, including cost of Petition, as this Hon'ble Court deems fit in the facts and circumstances of this case, in the interest of justice and equity.*

2. A co-ordinate bench of this Court had passed an order in W.P.No.28721/2025 dated 19.09.2025.

"The petitioner is the auction purchaser. The auction is conducted by the 1st respondent / LIC Housing Finance Pvt. Ltd. The Bank appears to have ignored due diligence while issuing a notification seeking sale of the property which was the subject matter of mortgage, the loan which had become sticky. The non conduct of due diligence has led the petitioner to be in the crossfire of a compromise decree between the parties and the Bank now washing of its hands. The petitioner then institutes a suit seeking the compromise decree not being applicable to her and in the said suit seeks an injunction.

The learned counsel submits that as against four decree holders, only against one, injunction is not granted.



CNR: KAHC010628772025

NC: 2026:KHC:40234
WP No. 28722 of 2025
C/W WP No. 28721 of 2025

In the light of the said circumstance of the auction purchaser's fate hanging in balance due to the act of alleged collusion of the parties to the lis and the Bank prima facie hoodwinking the auction purchaser without due diligence, all further actions pursuant to the compromise decree shall remain stayed till the next date of hearing.

Petitioner to serve on the counsel representing the respondents before the concerned Court and take out hand summons upon the 1st respondent/Bank.

List the matter on 17.10.2025."

3. Similar orders were passed in both the Writ Petitions on 19.09.2025. Learned counsel appearing for defendants Nos.2 to 5 has filed the caveat petition. All the counsels have made submissions on the merits of the matter. This Court is not inclined to go into those aspects, because when an *ad-interim* injunction was not granted, and suit summons were issued, the petitioner came before this Court, and on the basis of the petitioner's submissions, an interim order was granted by the Co-ordinate Bench of this Court.



NC: 2026:KHC:40234
WP No. 28722 of 2025
C/W WP No. 28721 of 2025

CNR: KAHC010628772025

4. In the light of the pending dispute between the parties, which requires a deeper inquiry, and the trial Court has to consider these applications for interim injunction only after giving a reasonable opportunity to all the parties concerned, this Court deems it appropriate to remand the matter to the trial Court. The trial Court shall consider the applications on the merits of the matter, uninfluenced by any of the observations made by the co-ordinate bench of this Court in the order dated 19.09.2025, and shall give an opportunity to the parties and pass appropriate orders. Accordingly, this Court is passing the following:

ORDER

- i. Accordingly, the writ Petitions are ***disposed of*** directing the XI Additional City Civil & Sessions Judge, Bengaluru to dispose of I.A.Nos. 2, 3 and 4, in accordance with law, within a period of 2 weeks from the date of receipt of the copy of the order.
- ii. The trial Court shall not be influenced by any of the observations made in the order dated



CNR: KAHC010628772025

NC: 2026:KHC:40234
WP No. 28722 of 2025
C/W WP No. 28721 of 2025

19.09.2025 and shall consider the case in accordance with law.

- iii. Parties are at liberty to advance their arguments. In the interest of justice, this Court deems it appropriate to direct the trial Court to decide the applications in the presence of the parties who will be affected by grant or rejection of an order of injunction.
- iv. All the parties who have appeared through advocate before this Court shall appear before the trial Court on 06.08.2026
- v. Within two weeks from 06.08.2026, the trial Court shall dispose of the applications.
- vi. The interim order that is granted by this Court, as it is operating from 19.09.2025, shall be in force till the applications are decided.
- vii. All I.As., in the petition shall stand closed.

SD/-
(LALITHA KANNEGANTI)
JUDGE

BVK
List No.: 1 Sl No.: 31