



CNR: KAHC010665262026

NC: 2026:KHC:52816
WP No. 30354 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE C.M. POONACHA

WRIT PETITION NO. 30354 OF 2026 (GM-DRT)

BETWEEN:

MR. PARAMASHIVA N
SON OF MR. NATESH
AGED ABOUT 63 YEARS,
RESIDING AT NO. 293/5,
VISHNU PRIYA NILAYA,
SIDDAPURA MAIN ROAD,
MAGGULA, VIRAJPET
KODAGU DISTRICT,
KARNATAKA - 571 218.

...PETITIONER

(BY SRI. RUDRABHUSHAN C.B, ADVOCATE)

AND:



THE AUTHORIZED OFFICER
CANARA BANK,
ASSET RECOVERY MANAGEMENT
(ARM) II BRANCH,
2ND FLOOR, CIRCLE OFFICE,
SPECNCER TOWERS, NO. 86,
M.G. ROAD, BENGALURU - 560 001,
REPRESENTED BY ITS
AUTHORIZED OFFICER
CHANDRASHEKAR YADAV.

...RESPONDENT

(BY SRI. VINAY SWAMY, ADVOCATE)



THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO (A) ISSUE A WRIT OF CERTIORARI OR ANY OTHER APPROPRIATE WRIT, ORDER OR DIRECTION SETTING ASIDE THE INTERIM ORDER DATED 02.09.2026 VIDE ANNEXURE-A PASSED BY THE DEBTS RECOVERY TRIBUNAL-I AT BENGALURU IN S.A. NO. 608 OF 2026 AND ETC.,

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

CORAM: HON'BLE MR. JUSTICE C.M. POONACHA

ORAL ORDER

The present writ petition is filed seeking for the following reliefs:

- "a) Issue a writ of certiorari or any other appropriate writ, order or direction setting aside the interim order dated 02.09.2026 vide Annexure-A passed by the Debts Recovery Tribunal-I at Bengaluru in S.A. No. 608 of 2026;*
- b) Modify the interim order dated 02.09.2026 vide annexure-A so as to grant an absolute stay of the sale notice dated 21.08.2026 and of the proposed online e-auction scheduled to be held on 25.09.2026, and not merely a stay of confirmation of sale;*
- c) Pass any other order or direction as this Honourable Court may deem fit and proper in the facts and circumstance of the case, in the interest of justice and equity. "*

Digitally Signed by CHEPPUDIRA
MONNAPPA POONACHA



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2. The petitioner seeks to assail the interim order dated 02.09.2026¹ passed in SA.No.608/2026 passed by the Debts Recovery Tribunal-1, Bangalore² (Annexure A to the writ petition). The Tribunal vide the impugned order granted interim stay of confirmation of the sale subject to the condition that the petitioner deposits a sum of `32,35,550/- in two installments of `16,17,775/- on or before 17.09.2026 and the balance sum of `16,17,775/- on or before 02.10.2026.

3. Learned counsel for the petitioner submits that the first stipulation of depositing a sum of `16,17,775/- on or before 17.09.2026 has been complied and the petitioner would also comply with the second stipulation of depositing a sum of `16,17,775/- on or before 02.10.2026.

4. Learned counsel for the petitioner further contended that a few days prior to the issuance of the sale notice dated 21.08.2026 (Annexure C to the writ petition), the petitioner paid a sum of `31,00,000/- and that the petitioner would pay a sum of `20,00,000/- on or before 02.10.2026.

¹ Hereinafter referred as to 'impugned order'

² Hereinafter referred as to 'Tribunal'



5. The petitioner is aggrieved by the order of the Tribunal insofar as stay has been granted only for confirmation of sale and that the sale itself has not been stayed. In this regard, it is the contention of the learned counsel for the petitioner that, the petitioner is agreeable to give a one time settlement for repayment of the credit facilities and it is the apprehension of the petitioner that if merely the confirmation of sale is stayed an auction purchaser would also enter the fray and the Bank would not appropriately consider the proposal for one time settlement that would be given by the petitioner.

6. The said apprehension of the petitioner is misplaced. The petitioner is already before the Tribunal and the Tribunal being seized of the matter, it is open to the petitioner to agitate his grievances / apprehensions before the Tribunal.

7. The present case is not one where the extraordinary discretionary jurisdiction of this Court under Article 226 of the Constitution of India is to be invoked for the purpose of interfering with the impugned order passed by the Tribunal. Accordingly, the present writ petition stands ***disposed of***.



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8. This order will not preclude the petitioner from urging all the contentions that have been urged in the present writ petition before the Tribunal and if the same are urged, the Tribunal shall appropriately consider the same in accordance with law.

Digitally Signed by CHEPPUDIRA
MONNAPPA POONACHA

(C.M. POONACHA)
JUDGE

PNV
List No.: 1 Sl No.: 33