



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

**DATED THIS THE 17<sup>TH</sup> DAY OF JUNE, 2026**

**BEFORE**

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

**WRIT PETITION NO. 34147 OF 2025 (CS-RES)**

**BETWEEN:**

1. YOGISH VYASARAYA ACHARYA  
SON OF VYASARAYA,  
AGED ABOUT 59 YEARS,  
RESIDENT OF 4-2-26C, SHRAVAN NIVAS,  
NANDA VIHAR ROAD, AMBALAPADY, UDUPI,  
KARNATAKA - 576 103.

...PETITIONER

(BY SRI. VACHAN G A.,ADVOCATE (ABSENT))

**AND:**

1. THE AUTHORIZED OFFICER  
UDUPI CO-OPERATIVE TOWN BANK LTD.,  
BHASKAR SOWDHA MAIN ROAD,  
KAUP, UDUPI - 574 106.
2. THE ASSISTANT REGISTRAR AND  
RECOVERY OFFICER,  
CO-OPERATIVE SOCIETIES,  
BENGALURU - 560 027.
3. GOPALAKRISHNA ACHARYA,  
SON OF VNK ACHARYA,  
AGED MAJOR,  
RESIDENT OF NO.3-36, GEETHA NILIYA,  
NAYAMPALLI, 4<sup>TH</sup> MAIN ROAD,  
UDUPI, KARNATAKA - 576 105.



4. SMT. SHOBA JATTAN,  
WIFE OF GOVINDA PUJARI,  
AGED MAJOR,  
RESIDENT OF MANHOLIGUJJI POST,  
KUNJIBETTA, UDUPI - 576 102.

...RESPONDENTS

(BY SRI.YOGESH.D.NAIK., AGA FOR R2)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO-DIRECT THE RESPONDENT BANKER TO STOP ALL FURTHER PROCESS OF SALE NOTICE DATED 17.09.2025 BEARING NO. C.E.P NO./AREUBF/40/2018-19 ISSUED BY THE 2<sup>ND</sup> RESPONDENT PRODUCED ANNEXURE-A AND ETC.,

THIS PETITION, COMING ON FOR ORDERS THROUGH VIDEO CONFERENCING / PHYSICAL HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

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

**ORAL ORDER**

The learned counsel for the petitioner is absent.

2. The petitioner has challenged the recovery proceedings initiated against him by respondent No.2 for recovery of the loan advanced by respondent No.1-



Society. The writ petition is filed with the following prayers:

*"i. Issue a Writ of Mandamus directing the Respondent Banker to stop all further process of Sale notice dated 17.09.2025 bearing No.C.E.P No./AREUBF/40/2018-19 issued by the 2<sup>nd</sup> Respondent produced Annexure-'A'.*

*ii. Issue a Writ of Certiorari to quash the order passed in C.E.P No./AREUBF/40/2018-19 dated 17.09.2025 issued by the 2<sup>nd</sup> Respondent produced at Annexure-'A' is being violative of the principles of Natural Justice;*

*iii. Grant such other relief or reliefs as this Hon'ble Court deems fit and proper at the circumstances of the case in the interest of justice and equity."*

3. It is seen that the petitioner is having an alternative and efficacious remedy under Sections 105 and 106 of the Karnataka Co-operative Societies Act, 1959.

4. For the aforementioned reasons, the Writ petition is hereby **dismissed**, reserving liberty to the



petitioner to approach the Appellate Authority in the manner known to law.

5. It is hereby made clear that no opinion is expressed on the merits of the case and if an appeal were to be filed, the Appellate Authority shall decide the same in the manner known to law without being influenced by any of the observations made herein above.

6. The petitioner shall also be entitled to the benefit of Section 14 of the Limitation Act, 1963, if any appeal were to be filed by him.

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

CH  
List No.: 1 Sl No.: 32