HC-KAR

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF DECEMBER, 2025

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO. 36835 OF 2025 (GM-DRT)

BETWEEN:

RAHUL VINAY
S/O VIJAYAKUMAR M
AGED ABOUT 35 YEARS
R/AT NO. 479, 12TH CROSS
BTS MAIN ROAD
OPPOSITE CARE COFFEE DAY
WILSON GARDEN
BENGALURU SOUTH
BENGALURU- 560 027

...PETITIONER

(BY SRI. VAIDYANATHA., ADVOCATE)

Digitally signed by MEGHA MOHAN
Location: HIGH COURT OF KARNATAKA

AND:

ICICI HOME FINANCE
YESHWANTHPUR BRANCH
1ST FLOOR, NO. 165 AND 166,

MANJUNATHA CHAMBERS
SHANKAR NAGAR MAIN ROAD
MAHALAKSHMIPURAM
YESHWANTHAPUR
BENGALURU
REPRESENTED BY ITS
AUTHORISED OFFICER
SRI VISHWANATHA B
AGED ABOUT 37 YEARS

…RESPONDENT

(BY SRI. NANDISH PATIL., ADVOCATE)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO-QUASH THE SALE NOTICE UNDER SARFAESI ACT DTD 20.11.2025 BY THE RESPONDENT BANK. THE COPY OF THE SALE NOTICE UNDER SARFAESI ACT DTD 20.11.2025 IS HEREIN PRODUCE AS ANNX-D.

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

CORAM: HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

ORAL ORDER

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

> ***"a. Issue a Writ of Certiorari to quash the Sale notice under SARFAESI Act dated: 20.11.2025 by the Respondent Bank. The Copy of the Sale Notice under SARFAESI Act dated: 20.11.2025 is herein produce as Annexure-D.***
>
> ***b. Issue a direction to the Respondent bank to the effect that the Petitioner be provided with a reasonable opportunity to make the payment of due amount in accordance with the established law of the land.***
>
> ***c. Grant such other relief/s as this Hon'ble court may deems fit to grant in the circumstances of this case and in the interest of justice and equity."***

2. On 08.12.2025, this Court had passed an order that the auction scheduled to be held on 09.12.2025 shall go on. However, the respondent was directed not to finalize the same. This Court further directed that by 17.12.2025, the petitioner shall place the demand draft for an amount of Rs.50,00,000/- before this Court and file an undertaking affidavit stating that when the petitioner is going to pay the remaining amount. If an amount of Rs.50,00,000/- is not paid by 17.12.2025, the

writ petition will be dismissed on that ground. Though there are no merits in the writ petition as he was ready to pay the amount interim order is granted.

3. When the matter came up before the Court, the learned counsel appearing for the petitioner submits the petitioner had approached the Bank and they are ready to pay the amount under One-Time Settlement.

4. Be that as it may, in view of the non-compliance of the order passed by this Court, this Court is not inclined to go into the merits of the matter.

5. It is submitted by the learned counsel appearing for the respondent that the sale has already taken place and the respondent/Bank may be permitted to proceed with further steps in accordance with law. This Court do not find any merits in the writ petition. Hence, this Court deems it appropriate to pass the following:

ORDER

i. Accordingly, the writ petition is ***dismissed***.

ii. All pending I.As., in the petition shall stand closed.

SD/-
(LALITHA KANNEGANTI)
JUDGE

SMC
List No.: 1 Sl No.: 15