HC-KAR

NC: 2026:KHC:64116
WP No. 3328 of 2024

CNR: KAHC010062432024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 18TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE T.P.VIVEKANANDA

WRIT PETITION NO.3328 OF 2024 (GM-DRT)

BETWEEN:

1. SMT. SHOBHA R
   W/O SHRI. LOKESH K
   AGED ABOUT 45 YEARS
   R/AT NO.877, 3RD C CROSS
   MUNESHWRA LAYOUT
   MANORAYANAPALYA
   R T NAGAR,
   BANGALORE - 560 032

2. SRI. LOKESH K
   S/O LATE KRISHNAMURTHY
   AGED ABOUT 48 YEARS
   R/AT NO.342, NEW NO.877
   1ST MAIN ROAD,
   MUNESHWARA LAYOUT
   MANORAYANAPALYA
   R T NAGAR,
   BANGALORE-560 032

3. SRI. R K DIGITAL STUDIO
   REPRESENTED BY ITS PROPRIETOR
   SRI. LOKESH K
   OFFICE AT: NO.4, 3RD CROSS
   SULTANPALYA MAIN ROAD
   BANGALORE - 560 032

...PETITIONERS

(BY SRI. MRUTHYUNJAYA S MATHAPATI, ADVOCATE)

Digitally signed by PAVITHRA B
Location: HIGH COURT OF KARNATAKA

AND:

1. BAJAJ HOUSING FINANCE LTD.,
A NON BANKING FINANCIAL COMPANY
INCORPORATED UNDER THE COMPANIES ACT
REGISTERED HEAD OFFICE AT:
5TH FLOOR, CEREBRUM
IT PARK-B2 BUILDING,
KALYANI NAGAR, PUNE - 411 014 &
HAVING ITS BRANCH OFFICE AT
1ST FLOOR, J K TOWERS, 719/A-53-2,
46TH CROSS, SANGAM CIRCLE
JAYANAGAR 8TH BLOCK
BANGALORE - 560 082

REPRESENTED BY DURGA PRASAD G V
REGIONAL COLLECTION MANAGER &
AUTHORIZED OFFICER

…RESPONDENT

(BY SRI. DILIP M R, ADVOCATE)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF CERTIORARI OR ANY OTHER WRIT OR ORDER OR DIRECTION IN THE NATURE OF WRIT, QUASHING THE ORDER PASSED BY THE ORDER DATED 10/10/2023 PASSED IN CRL. MISC. 1346/2023 BY THE HON'BLE CHIEF JUDICIAL MAGISTRATE, BENGALURU RURAL DISTRICT, BANGALORE VIDE ANNEXURE-B TO THIS WRIT PETITION AND ETC.,

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

CORAM: HON'BLE MR. JUSTICE T.P.VIVEKANANDA

ORAL ORDER

1. The petitioners are before this Court calling in question the order dated 10.10.2023 (Annexure-B) passed by the Chief Judicial Magistrate, Bengaluru Rural District, in Criminal Miscellaneous No.1346/2023.

2. This Court, while entertaining the writ petition, passed an interim order on 14.02.2024 staying further proceedings initiated by the respondent, subject to the petitioners depositing Rs.10,00,000/-, within eight weeks from the date of the interim order.

3. The learned counsel appearing for the respondent filed a memo in Court today stating that the petitioners have not complied with the interim order referred to supra, which led the respondent/Financial Institution proceeding with the auction sale of the mortgaged property. It is further stated that auction sale was conducted and the sale certificate has also been issued to the successful bidder on 07.08.2024 and the sale proceeds have been appropriated towards the outstanding

loan amount. It is also stated that, even after adjustment of the sale proceeds, the petitioners are still due in a sum of Rs.15,76,812/-.

4. In the light of the aforesaid developments and the sale of the secured asset, the prayer sought in the instant writ petition does not survive for consideration. Accordingly, the petition is ***dismissed as having become infructuous***.

In view of dismissal of the petition, I.A.No.1/2025 also stands dismissed.

Sd/-
(T.P.VIVEKANANDA)
JUDGE

hkh.
List No.: 1 Sl No.: 33