HC-KAR

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE ASHOK S.KINAGI

WRIT PETITION NO. 3320 OF 2026 (GM-DRT)

BETWEEN:

1. MRS. RAMITA SINGH
   AGED 42 YEARS.
   W/O MR. UMAKANT SINGH,
   R/AT: 002, PHASE-1, ATZ ROCK
   VIEW, RACHENHALLI MAIN ROAD,
   SRIRAMPURA, BENGALURU- 560064

2. MASTER TEJAS SINGH,
   AGED ABOUT 9 YEARS.
   S/O MR. UMAKANT SINGH,
   R/AT: 002, PHASE-1, ATZ ROCK
   VIEW, RACHENHALLI MAIN ROAD,
   SRIRAMPURA, BENGALURU- 560064
   (GARDIAN OF MOTHER) RAMITA SINGH.

Digitally signed by SHILPABAI S
Location: HIGH COURT OF KARNATAKA

...PETITIONERS

(BY SRI. AKANKSHA CHOUDHARY, ADV.)

AND:

1. STATE BANK OF INDIA
   3RD FLOOR, BUILDING NO.11/90

NEAR OLD SHIVAJI THEATRE
OPP TRUSTWELL HOSPITAL
J.C. ROAD, BENGALURU - 560002
THROUGH ITS AUTHORISED OFFICER
MRS. JAYALAKSHMI M

2. MR. UMAKANT SINGH
AGED 44 YEARS,
S/O MR. RAGHAV SINGH,
R/AT Q.NO. 3099, SECTOR 4 A
BOKARO STEEL CITY
JHARKHAND-827004.
ALSO AT: DDA, FLATS L-1-111B,
2ND FLOOR, VTC: KALKAJI P.O. KALKAJI,
SOUTH-EAST DELHI-110019.

…RESPONDENTS

(BY SRI. VIGNESH SHETTY, ADV. FOR R1)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO QUASHING THE STATUTORY SALE NOTICE DTD 22.01.2026 BEARING No.SBI/SARB/SN/MJ/627 No.1 SBI VIDE ANX-A UNDER RULED 8(6) R/W PROVISO TO RULE 9(1) OF THE SECUTIRY INTEREST ENFORCEMENT RULES 2002 IN RESPECT OF FLAT No.302 ATZ ROCKVIEW PHASE-2 YELAHANKA BENGALURU AND ETC.,

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

CORAM: HON'BLE MR. JUSTICE ASHOK S.KINAGI

ORAL ORDER

The petitioner filed this writ petition challenging the sale notice dated 22.01.2026 and also sought for declaration to declare that the initiation and continuation of sale and recovery proceedings in respect of share household during the dependency of the proceedings. Under the Protection of Women from Domestic Violence Act, 2005. If the petitioner aggrieved by the sale notice, the petitioner has an equal efficacious remedy. The petitioner without exhausting efficacious remedy, filed this petition.

2. In view of proposition of law laid down by the Hon'ble Apex Court in the case of **RIKHAB CHAND JAIN VS. UNION OF INDIA IN C.A.NO.6719 OF 2012** disposed off on 12.11.2025, the writ petition is not maintainable.

3. Accordingly, the writ petition is ***dismissed as not maintainable.***

4. A liberty is reserved to the petitioner to approach the Debt Recovery Tribunal under Section 17 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, within two weeks from today.

5. Pending applications, if any, shall stand disposed off accordingly.

Sd/-
(ASHOK S.KINAGI)
JUDGE

SSB