HC-KAR
NC: 2026:KHC:64832
WP No. 5410 of 2026
CNR: KAHC010109242026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21ST DAY OF NOVEMBER, 2026

BEFORE

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

WRIT PETITION NO. 5410 OF 2026 (GM-RES)

BETWEEN:

VIJAYA KUMAR G.N.,
S/O. LATE NAGARAJ G,
AGED ABOUT 37 YEARS,
FIRST FLOOR, OPP. BANNIMARA,
11TH CROSS,
NEAR BAKKESHWARA SCHOOL,
MCC A BLOCK,
DAVANAGERE-577 004.

...PETITIONER

(BY SRI. SANTHOSH KUMAR M B.,ADVOCATE)

AND:

1. NATIONAL HOUSING BANK
(WHOLLY OWNED BY THE RESERVE BANK CORE 5-A,
INDIA HABITAT CENTRE,
LODHI ROAD, NEW DELHI-110 003
REPRESENTED BY ITS MANAGING DIRECTOR.

2. INDIAN BANKS' ASSOCIATION
WORLD TRADE CENTRE COMPLEX,
CENTRE 1, 6TH FLOOR,
CUFFE PARADE,
MUMBAI-400 005
MAHARASTRA
REPRESENTED BY ITS CHIEF EXECUTIVE.

3. JANA SMALL FINANCE BANK
THE FAIRWAY BUSINESS PARK,
FIRST FLOOR, SURVEY NO. 10/1, 11/2

AND 12/2B, OFF DOMLUR,
KORAMANGALA INNER RING ROAD,
NEXT TO EGL BUSINESS PARK,
CHALLAGHATTA,
BENGALURU-560 071
REPRESENTED BY ITS MANAGER.

…RESPONDENTS

(R1 TO R3 ARE SERVED AND UNREPRESENTED)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE IMPUGNED ORDER DATED 25-10-2024 ISSUED BY THE RESPONDENT NO. 2, INDIAN BANKS ASSOCIATION, VIDE ANNEXURE-G, AND THE RECOMMENDATIONS DATED 27-09-2024 BY THE RESPONDENT NO.3, JANA SMALL FINANCE BANK VIDE ANNEXURE-F 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

Present writ petition is filed seeking following reliefs:

" I. Issue Writ of Certiorari quashing the impugned order dated 25-10-2024 issued by the respondent No. 2, Indian Bank's Association, vide Annexure- G, and the recommendations dated 27-09-2024 by the respondent No. 3, Jana Small Finance Bank vide Annexure-F.

II. Issue Writ of Mandamus directing the respondent No. 2 and 3 to remove/delete the name of the petitioner from the TPE Caution List and issue a fresh/new list by deleting the name of the petitioner and also to upload the fresh/new list without the name of the petitioner in its website www.iba.org.in.

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III. Issue Writ of Mandamus directing the respondents to take all necessary steps to delete the name of the petitioner from the TPE Caution List or any other list showing/indicating the name of the petitioner as disempanelled/depanelled valuer of the bank by considering the representations dated 14-01-2026 vide Annexure-H & H1.

IV. Pass any other order or direction as this Hon'ble Court deems fit under the facts and circumstances of the case."

2. The petitioner, a Civil Engineer, was an approved Valuer and Associate Member of the Institution of Valuers' from 2015. The petitioner was also empanelled as a Valuer with various organizations including respondent No.3 - Bank. The petitioner being aggrieved by the action of the respondent No.2 - Association in placing his name in the caution - list of the said association, is before this Court.

3. It is the contention on behalf of the petitioner that no notice was issued by respondent No.2 before his name was placed in the aforesaid caution - list and that the petitioner was not afforded an opportunity of hearing.

4. It is further contended on behalf of the petitioner that the respondent No.2 has framed "Procedural Guidelines for Reporting Names of Third Parties involved in Frauds to IBA for

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inclusion in the Caution List"[1]. A copy of the said Guidelines is produced as Annexure-C1 to the writ petition. Reliance is placed by the petitioner on Guideline No.5, which contemplates the setting up of a forum to evaluate the role of third party entities in a fraud/loss event. The relevant extract of the said Guideline reads as under:

> *" **5. Forum to evaluate the role of a Third Party Entity in a fraud /loss event***
>
> *It is proposed that an independent and empowered forum be set up to evaluate the role of TPEs in fraud cases.*
>
> *a. Composition of the Forum*
>
> *The Forum could consist of 3 to 5 members of sufficient seniority from various control functions. One person among the above members will play the role of coordinator. This could typically be the group which reports frauds to RBI. The group which had used the services of TPE shall also be part of the Forum to decide on the particular case. While the Chief Vigilance Officer of the bank could be a member of the forum, the forum shall not have any of the persons who investigated the case.*
>
> *b. Quorum*
>
> *The Forum meetings would have a quorum of any 2/3 members.*
>
> *C. XXX*
>
> *D. xxx"*

[1] Hereinafter referred to as ''Guidelines''

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5. Reliance is placed by the learned counsel for the petitioner on a Co-ordinate Bench judgment of this Court in the case of ***Sri. Swarupananda Gouda K.S Vs. Indian Banks Association and Others***[2].

6. The respondents are served and remained unrepresented.

7. Having regard to the primary contentions urged on behalf of the petitioner are that the petitioner was not even notified before his name was included in the caution list and in view of the fact that mention of the name of the petitioner gives rise to various adverse consequences *qua* the petitioner, which affects the avocation pursued by him, the relief sought for by the petitioner in the present petition merits consideration.

8. Hence, the following:

ORDER

(i) Writ Petition is ***allowed***.

[2] W.P.No.30058/2024; Order dated 24.02.2026, NC: 2026:KHC: 11946

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(ii) The order dated 25.10.2024 issued by the respondent No.2 (Annexure-G to the writ petition) as well as the recommendation dated 27.09.2024 issued by the respondent No.3 (Annexure-F to the writ petition) are hereby quashed.

(iii) A direction is issued to the respondent Nos.2 and 3 to remove/delete the name of the petitioner from the aforesaid caution - list forthwith.

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(C.M. POONACHA)
JUDGE

RL
List No.: 1 Sl No.: 4