NC: 2026:KHC:23807
WP No. 11897 of 2026

HC-KAR

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO.11897 OF 2026 (GM-DRT)

BETWEEN:

SRI. SUTHAN K S
AGED ABOUT 45 YEARS
S/O SUBBAIAH
KIBBETTA VILLAGE
SOMWARPET TALUK
KODAGU DISTRICT-571231

…PETITIONER

(BY SRI SAMPATH KUMAR A V, ADVOCATE)

AND:

1. KODAGU DISTRICT CO-OPERATIVE
CENTRAL BANK LTD.
MAJOR MUTHANNA CIRCLE
G.T CIRCLE, MADIKERI
KODAGU DISTRICT-571201
REP. BY ITS AUTHORISED OFFICER

2. SRI HARISH K.M
S/O MADAPPA
MAJOR
PROPRIETOR OF S.S CREATIONS
CLUB ROAD, SOMWARPET TALUK
KODAGU DISTRICT-571236

…RESPONDENTS

(BY SRI THIRUMALARAJU K, ADVOCATE FOR R1)

Digitally signed by SUVARNA T
Location: HIGH COURT OF KARNATAKA

THIS WP IS FILED UNDER ARTICLE 226 AND 227 OF CONSTITUTION OF INDIA PRAYING TO QUASH THE IMPUGNED SALE NOTICE BEARING NO. REF 5396/2025-26 ISSUED UNDER RULE 8(6) OF SECURITY INTEREST (ENFORCEMENT) RULES 2002 BY THE 1ST RESPONDENT DATED 18.03.2026 VIDE ANNEXURE-G AND ETC.

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

CORAM: HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

ORAL ORDER

In this petition, the petitioner seeks the following relief's:

A. "Issue writ of certiorari or any other appropriate writ, quashing the impugned Sale Notice bearing No.REF 5396/2025-26 issued under Rule 8(6) of Security Interest (Enforcement) Rules 2002 by the 1st respondent dated 18.03.2026 vide Annexure-G issued by respondent No.1 in the interest of justice and equity.

B. Issue writ of mandamus or any other appropriate writ directing the respondent No.1 bank to hold an auction to the property bearing Sy.No.57/2 & 57/3 in which the respondent No.2 has been in actual possession in the interest of justice and equity.

C. ***Grant such other relief as this Hon'ble Court deems fit in the facts and circumstances of the case in the interest of justice and equity."***

2. As per the order of this Court dated 16.04.2026, respondent-Bank has not conducted the auction to be held on 23.04.2026.

3. The learned counsel for the petitioner submits that the petitioner had approached the DRT and filed an application yesterday. Considering that the petitioner has got the benefit of interim order, respondent No.1 is directed not to take any coercive steps for a period of 30 days from today. Accordingly, the petition is ***disposed of*** as the petitioner has already availed the alternative remedy.

4. In view of disposal of the main petition, I.A's. if any, do not survive for consideration and the same stand disposed of.

Sd/-
(LALITHA KANNEGANTI)
JUDGE

SN