HC-KAR

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO. 16275 OF 2024 (GM-DRT)

BETWEEN:

MR. VIKRAM PRABHAKAR
S/O. LATE MR. B.L. PRABHAKAR
AGED ABOUT 44 YEARS
R/AT NO.36/1,
8TH MAIN
7TH CROSS,
RMV EXTENSION
SADASHIVANAGAR
BENGALURU - 560 080

...PETITIONER

(BY SRI. VASUDEVAN H.N., ADVOCATE)

Digitally signed by SUVARNA T
Location: HIGH COURT OF KARNATAKA

AND:

1. THE BHARATH CO-OPERATIVE BANK LIMITED
   REP BY ITS AUTHORIZED OFFICER
   NO.30, 15TH CROSS
   3RD BLOCK,
   JAYANAGAR
   BENGALURU - 560 011

2. MR MANJUNATH

S/O GOPALRAJU
AGED MAJOR

3. MR RAKSHITH M
S/O MANJUANTH
AGED MAJOR

REPONDENTS NO.2 AND 3 ARE
R/AT NO.12/A,
1ST MAIN
V V MOHALLA
MYSORE - 570 002

…RESPONDENTS

(BY SMT. MOUNIA M., ADVOCTE FOR

SRI. K.V. LOKESH, ADVOCATE FOR R1)

THIS W.P. IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO SET ASIDE THE SALE NOTICE DTD. 30.01.2024 ISSUED BY THE RESPONDENT VIDE ANNX-D AND ALL FURTHER ACTION PURSUANT TO SALE NOTICE DATED 30.01.2024.

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 the following prayers:

> ***"a) ISSUE A writ in the nature of certiorari to set aside the sale notice dated. 30.01.2024 issued by the respondent vide Annexure-D and all further action pursuant to sale notice dated 30.01.2024.***
>
> ***b) Issue A writ of appropriate nature to set aside sale confirmation letter Vide No. BCB/MATH/207/23-24 dated 19.02.2024, vide Annexure-E, issued by the 1st Respondent; and***
>
> ***c) PASS such other orders as may be deemed appropriate in the ends of justice and equity."***

2. A memo is filed by the learned counsel for the petitioner seeking permission to withdraw the writ petition with liberty to approach the DRT.

3. Learned counsel appearing for the respondents submits that the sale has already taken place. In that view of the matter, this court is passing the following:

ORDER

i. Accordingly, the writ petition is ***disposed of,*** giving liberty to the petitioner to avail the appropriate remedy before the DRT.

ii. The petitioner shall approach the DRT within 30 days from the date of receipt of the copy of this order.

ii. The petitioner shall have the benefit of Section 14 of the Limitation Act.

iii. Pending IAs., if any, shall stand closed.

SD/-
(LALITHA KANNEGANTI)
JUDGE

SMC
List No.: 1 Sl No.: 5