HC-KAR

NC: 2026:KHC:59817
WP No. 19166 of 2024

CNR: KAHC010408352024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF OCTOBER, 2026

BEFORE

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

WRIT PETITION NO. 19166 OF 2024 (GM-DRT)

BETWEEN:

SRI. SHIVARAJU J.
S/O JAVAREGOWDA
AGED ABOUT 35 YEARS
PROPRIETOR
M/S LAKSHMI JEWELLERS
NO. 64 , 1ST MAIN, 7TH CROSS
VINAYAKA LAYOUT, MYSURU ROAD
NAYANADAHALLI, BENGALURU - 560 039

…PETITIONER

(BY SRI. MITHUN G.A., ADVOCATE)

AND:

1. PIRAMAL CAPITAL AND HOUSING FINANCE LTD
(FORMERLY KNOWN AS DEWAN HOUSING FINANCE
CORPORATION LTD.,)
OFFICE AT NO. 13, OLD NO.5
1ST MAIN ROAD
NEAR KODAVA SAMAJA
VASANTH NAGAR, BENGALURU - 560 052
REP BY ITS AUTHORISED OFFICER/ MANAGER
SRI. ANAND KUMAR N.

2. SRI. DARSHAN GOWDA KUMAR
S/O KUMAR SUNNAGATTA KRISHNAPPA
AGED MAJOR
R/AT SUNNAGATTA VILLAGE HONGANUR POST
CHANNAPATNA TALUK,

Digitally signed by PREMCHANDRA M R
Location: HIGH COURT OF KARNATAKA

V T C SUNNAGATTA POST
HONGANUR, RAMANAGARA DISTRICT - 562 138

…RESPONDENTS

(BY SRI. S. LAKSHMINARAYANA, ADVOCATE FOR R1
SRI. SRINANDAN K., ADVOCATE FOR R2)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASHING THE SALE CERTIFICATE DTD 10.06.2024 (ANNX-A) ISSUED BY THE RESPONDENT BANK AS THE SAME IS NOT IN ACCORDANCE WITH LAW AND PERMIT THE PETITIONER TO CLEAR THE OUTSTANDING LOAN UNDER A OTS SCHEME AND ETC.

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

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

ORAL ORDER

Learned counsel for the petitioner has filed a memo seeking withdrawal of the writ petition, with liberty to approach the DRT under the provisions of the SARFAESI Act.

2. It is noticed that since 2024, the petitioner had the benefit of the interim order passed on 12.08.2024. Therefore, to enable the petitioner to approach the DRT under Section 17 of the Act and in order to protect the

rights of the parties in the interregnum, the interim order passed by this Court on 12.08.2024 is continued for a period of three weeks from today.

3. If the appeal is not filed within a period of three weeks, the protection granted by this order would not enure to the benefit of the petitioner.

4. Since the petitioner has been before this Court since 2024, it is open to the petitioner to seek exclusion of the time spent in prosecuting this petition while reckoning the period of limitation for filing an appeal under Section 17 of the Act before the DRT.

5. With the aforesaid observations writ petition is ***disposed of***.

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

Sd/-
(T.P.VIVEKANANDA)
JUDGE

SMC
List No.: 1 Sl No.: 16