HC-KAR

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO. 20936 OF 2023 (GM-DRT)

C/W

WRIT PETITION NO. 23799 OF 2023 (GM-RES)

IN WP No. 20936/2023

BETWEEN:

1. M/S SREE LAXMI VENKATAGIRI INDUSTRIES
   REPRESENTED BY ITS PARTNER (SEIZED AND SOLD)
   SMT C NIRMALA
   PLOT NO.34-A, SY NO.95, 105, 106
   RAICHUR GROWTH CENTRE INDUSTRIAL AREA
   CHICKSUGUR HOBLI
   KASABA TALUK
   RAICHUR

Digitally signed by SUVARNA T
Location: HIGH COURT OF KARNATAKA

2. SMT C NIRMALA(PARTNER/MORTGAGER)
   AGED ABOUT 62 YEARS
   W/O SRI VENKATARAJU
   H.NO.12-04-99
   NEAR GANJ KALYANA MANTAP
   RAICHUR - 584 102

3. SRI SRIDHAR VARMA(PARTNER)
   AGED ABOUT 43 YEARS
   S/O SRI VENAKTARJU
   NEAR GANJ KALYANA MANTAP
   RAICHUR -584 102

4. SRI C VENKATARAJU(MORTGAGER)
AGED ABOUT 67 YEARS
S/O SRI C DESHWANTHAPPA
NEAR GUNJ KALYANA MANTAP
RAICHUR - 584 102

NOW THE PRESENT ADDRESS FOR ISSUANCE OF SUMMONS/CORRESPONDENCE
R/A NO.1-11-1038
OPP PHB QUARTERS
KUMSUMBI COLONY
RAICHUR-584101

…PETITIONERS

(BY SRI. RAJENDRA M.A., ADVOCATE)

AND:

1. THE AUTHORISED OFFICER
CANARA BANK
(ERSTWHILE SYNDICATE BANK)
H.NO.12-10-102
P M POWERS, OPP.RAJKUMAR HOTEL
GOUSALA ROAD
RAICHUR-584101
REPRESENTED BY ITS GENERAL MANAGER

2. THE DY. DEVELOPMENT OFFICER KARNATAKA
INDUSTRIAL AREA DEVELOPMENT BOARD
KAPNOOR IST STAGE
INDUSTRIAL AREA
HUMNABAD ROAD
GULBARGA-04
ALSO THE DY. DEVELOPMENT OFFICER
KARNATAKA INDUSTRIAL AREA DEVELOPMENT BOARD

HYDERABAD ROAD
RAICHUR - 584 134

3. THE EXECUTIVE ENGINEER M/S GULBARGA
ELECTRICITY SUPPLY COMPANY LIMITED
(IN SHORT GESCOM)
STATION ROAD, GHALIB NAGAR
ANDROON QUILLA
RAICHUR - 584 101

4. M/S RISHWIN MILLS
(AUCTION PURCHASER)
REPRESENTED BY ITS PARNTERS
SMT SOWBHAGYAMMA
W/O SRI KRISHNAIAH LAGISETTY
FLAT NO.304, RAGHAVENDRA RESIDENCY
JAWAHAR NAGAR
RAICHUR - 584 103

5. SRI AYYESH LAGISETTY
(AUCTION PURCHASER)
S/O SREERAMULU LAGISETTY
H.NO.12-1-41/1, IST FLOOR
BEHIND POORNIMA THEATRE
GUNJ ROAD
RAICHUR - 584 101

…RESPONDENTS

(BY SRI. VIGNESH SHETTY, ADVOCATE FOR R1
SRI. H.L. PRADEEP KUMAR, ADVOCATE FOR R2
SRI. ADARSH GANGAL, ADVOCATE FOR R4 AND R5)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO-SET ASIDE/QUASH THE IMPUGNED ORDERS DTD 09/05/2023 PASSED BY THE

HONBLE DRT-II, IN IA NO.2781/2021 IN SA NO.61/2022 (ANNEXURE-A) AND ETC.

IN WP NO. 23799/2023

BETWEEN:

1. M/S SREE LAXMI VENKATAGIRI INDUSTRIES
   REPRESENTED BY ITS PARTNER (SEIZED AND SOLD)
   SMT C. NIRMALA,
   PLOT NO.34-A,
   SY NO.95, 105, 106,
   RAICHUR GROWTH CENTRE INDUSTRIAL AREA
   CHICKSUGUR HOBLI,
   KASABA TALUK,
   RAICHUR.

2. SMT.C. NIRMALA (PARTNER/MORTGAGER)
   AGED ABOUT 63 YEARS,
   W/O SRI VENKATARAJU,
   H NO.12-01-99,
   NEAR GANJ KALYANA MANTAP,
   RAICHUR - 584 102

3. SRI. SRIDHAR VARMA (PARTNER)
   AGED ABOUT 43 YEARS,
   S/O SRI VENKATARAJU,
   NEAR GANJ KALYANA MANTAP,
   RAICHUR - 584 102

4. SRI.C. VENKATARAJU (MORTGAGER)
   AGED ABOUT 67 YEARS,
   S/O SRI. D DESHWANTHAPPA,
   NEAR GUNJ KALYANA MANTAP,
   RAICHUR - 584 102
   NOW THE PRESENT ADDRESS FOR ISSUANCE OF

SUMMONS/COORESPONDENCE,
R/AT NO.1-11-1038,
OPP PHB QUARTERS,
KUMSUMBI COLONY,
RAICHUR - 584 101.

...PETITIONERS

(BY SRI. RAJENDRA M.A., ADVOCATE)

AND:

1. THE AUTHORISED OFFICER
CANARA BANK (ERSTWHILE SYNDICATE BANK)
H NO.12-10-102,
P M POWERS, OP. RAJKAMAL HOTEL,
GOUSALA ROAD,
RAICHUR - 584 101
REPRESENTED BY ITS GENERAL MANAGER.

2. MR. NARESH KUMAR (PURCHASER)
S/O PRATAP REDDY,
AGED ABOUT 22 YEARS,
R/AT NO.H NO.9-17-17, MADDIPET AREA,
RAICHUR - 584 101
ALSO AT
PLOT NO.15,
BEARING MPL NO.12-1-73 (OLD)
12-1-99 (NEW) GUNJ AREA,
NEAR CHANDRAKANTH TALIKES,
RAICHUR.

...RESPONDENTS

(BY SRI. VIGNESH SHETTY, ADVOCATE FOR R1
SRI. P.S. MALIPATIL, ADVOCATE FOR R2)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO-SET

ASIDE/QUASH THE IMPUGNED ORDERS PASSED BY THE HONBLE DRT II IN THE IMPUGNED ORDER IN S.A.NO.130/2020 DTD 1ST OCTOBER, 2020 ANNEXURE-A AND ETC.

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

CORAM: HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

COMMON ORAL ORDER

These writ petitions are filed aggrieved by the order passed by the DRT dated 09.05.2023. Initially, petitioners have filed W.P. No.20097/2021, which came to be disposed of by the Kalaburagi Bench on 04.10.2021. In the said order, the Court observed that it is open to the petitioners to challenge the auction and other collateral proceedings before the competent court. All contentions are left open for the petitioners to urge before the Court having jurisdiction. The Court further observed that if an appeal is filed before the competent court, the time consumed in pursuing the petition shall be set off while calculating the limitation.

2. The petitioners, the Bank and the property in question are all situated within the jurisdiction of the Kalaburagi Bench of the Karnataka High Court. Having already approached the said Bench earlier, the petitioners cannot approach this Court merely because the DRT is situated in Bangalore. Even on an earlier occasion also, this Court has dismissed a similar writ petition.

3. 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 petitioners to approach the Kalaburagi Bench.

ii. The petitioners 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.: 10