HC-KAR

NC: 2026:KHC:64522
WP No. 28434 of 2024

CNR: KAHC010599152024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF NOVEMBER, 2026

BEFORE

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

WRIT PETITION NO. 28434 OF 2024 (GM-RES)

BETWEEN:

1. SAMIULLA K MANTRI
S/O KHALEEL AHMED,
AGED ABOUT 42 YEARS,
PRESENTLY R/AT SITE NO.1,
LAKE VIEW LAYOUT,
SITUATED IN SURVEY NO.50/2 AND 50/5,
RAJIV NAGAR,
MYSORE-570019

2. MUZZAMIL AHMED
S/O BASHEER AHMED,
AGED ABOUT 44 YEARS,
PRESENTLY R/AT SITE NO.2,
LAKE VIEW LAYOUT,
SITUATED IN SURVEY NO.50/2 AND 50/5,
RAJIV NAGAR,
MYSORE-570019

3. MUDDASIR AHMED
S/O BASHEER AHMED,
AGED ABOUT 42 YEARS,
PRESENTLY R/AT SITE NO.2,
LAKE VIEW LAYOUT,
SITUATED IN SURVEY NO.50/2 AND 50/5,
RAJIV NAGAR,
MYSORE-570019

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Location: HIGH COURT OF KARNATAKA

4. S G NASEEM KHATOON
W/O SYED MUNEER M,
AGED ABOUT 45 YEARS,
PRESENTLY R/AT SITE NO.3,
LAKE VIEW LAYOUT,
SITUATED IN SURVEY NO.50/2 AND 50/5,
RAJIV NAGAR,
MYSORE-570019

5. AIJAZ PASHA
S/O AMEER SAB,
AGED ABOUT 74 YEARS,
PRESENTLY R/AT SITE NO.4,
LAKE VIEW LAYOUT,
SITUATED IN SURVEY NO.50/2 AND 50/5,
RAJIV NAGAR,
MYSORE-570019

6. SYED ASHFAQ
S/O SYED SHAFI,
AGED ABOUT 45 YEARS,
PRESENTLY R/AT SITE NO.6,
LAKE VIEW LAYOUT,
SITUATED IN SURVEY NO.50/2 AND 50/5,
RAJIV NAGAR,
MYSORE-570019

7. SYED JAWAD
S/O SYED SHAFI,
AGED ABOUT 42 YEARS,
PRESENTLY R/AT SITE NO.6,
LAKE VIEW LAYOUT,
SITUATED IN SURVEY NO.50/2 AND 50/5,
RAJIV NAGAR,
MYSORE-570019

8. ASMA KHANUM
W/O NAZEEM HUSSAIN,
AGED ABOUT 36 YEARS,
PRESENTLY R/AT SITE NO.7,
LAKE VIEW LAYOUT,
SITUATED IN SURVEY NO.50/2 AND 50/5,
RAJIV NAGAR,
MYSORE-570019

9. AYUB PASHA
S/O LATE MOHAMMED YOUSUF,
AGED ABOUT 48 YEARS,
PRESENTLY R/AT SITE NO.8,
LAKE VIEW LAYOUT,
SITUATED IN SURVEY NO.50/2 AND 50/5,
RAJIV NAGAR,
MYSORE-570019

10. ASIFULLA KHAN
S/O SAMAD KHAN,
AGED ABOUT 38 YEARS,
PRESENTLY R/AT SITE NO.9,
LAKE VIEW LAYOUT,
SITUATED IN SURVEY NO.50/2 AND 50/5,
RAJIV NAGAR,
MYSORE-570019

11. SHAFIULLA
S/O MUSTAFF AHMED,
AGED ABOUT 38 YEARS,
PRESENTLY R/AT SITE NO.10,
LAKE VIEW LAYOUT,
SITUATED IN SURVEY NO.50/2 AND 50/5,
RAJIV NAGAR,
MYSORE-570019

12. SYED SHA VALIULLA
S/O SYED ABI RIZWAN,
AGED ABOUT 56 YEARS,
PRESENTLY R/AT SITE NO.11,
LAKE VIEW LAYOUT,
SITUATED IN SURVEY NO.50/2 AND 50/5,
RAJIV NAGAR,
MYSORE-570019

13. SYED KALEEMULLA
S/O SYED YAKOOB,
AGED ABOUT 65 YEARS,
PRESENTLY R/AT SITE NO.12,
LAKE VIEW LAYOUT,
SITUATED IN SURVEY NO.50/2 AND 50/5,
RAJIV NAGAR,
MYSORE-570019

14. NISHAD RUKSANA
W/O MOHAMMED YOUSUFF,
AGED ABOUT 46 YEARS,
PRESENTLY R/AT SITE NO.13,
LAKE VIEW LAYOUT,
SITUATED IN SURVEY NO.50/2 AND 50/5,
RAJIV NAGAR,
MYSORE-570019

15. BIBI AYESHA
W/O ALEEM KHAN,
AGED ABOUT 46 YEARS,
PRESENTLY R/AT SITE NO.14,
LAKE VIEW LAYOUT,
SITUATED IN SURVEY NO.50/2 AND 50/5,
RAJIV NAGAR,
MYSORE-570019

16. H MUKHTAR AHMED
S/O ABDUL SATTAR,
AGED ABOUT 74 YEARS,
PRESENTLY R/AT SITE NO.15,
LAKE VIEW LAYOUT,
SITUATED IN SURVEY NO.50/2 AND 50/5,
RAJIV NAGAR,
MYSORE-570019

17. AMEENA BEGUM
W/O MOHAMMED YOUSUF
AGED ABOUT 36 YEARS,
PRESENTLY R/AT SITE NO.16,
LAKE VIEW LAYOUT,
SITUATED IN SURVEY NO.50/2 AND 50/5,
RAJIV NAGAR,
MYSORE-570019

18. MOHAMMED HAFEEZ UR RAHMAN
S/O ABDUR RAHMAN,
AGED ABOUT 48 YEARS,
PRESENTLY R/AT SITE NO.17,
LAKE VIEW LAYOUT,
SITUATED IN SURVEY NO.50/2 AND 50/5,
RAJIV NAGAR,
MYSORE-570019

19. MUNSEER AHMED
S/O NISAR AHMED,
AGED ABOUT 46 YEARS,
PRESENTLY R/AT SITE NO.18,
LAKE VIEW LAYOUT,
SITUATED IN SURVEY NO.50/2 AND 50/5,
RAJIV NAGAR,
MYSORE-570019

20. NAJMA PARVEEN
W/O B H RAZZAK SHARIFF,
AGED ABOUT 52 YEARS,
PRESENTLY R/AT SITE NO.19,
LAKE VIEW LAYOUT,
SITUATED IN SURVEY NO.50/2 AND 50/5,
RAJIV NAGAR,
MYSORE-570019

21. SYED ZAKIR
S/O SYED NASEERUDDIN,
AGED ABOUT 54 YEARS,
PRESENTLY R/AT SITE NO.20,
LAKE VIEW LAYOUT,
SITUATED IN SURVEY NO.50/2 AND 50/5,
RAJIV NAGAR,
MYSORE-570019

22. MOHAMMED ZAHEER
S/O MOHAMMED MATHIN,
AGED ABOUT 39 YEARS,
PRESENTLY R/AT SITE NO.21,
LAKE VIEW LAYOUT,
SITUATED IN SURVEY NO.50/2 AND 50/5,
RAJIV NAGAR,
MYSORE-570019

23. AYISHA BANU
W/O MOHAMMED GULAB JAN,
AGED ABOUT 43 YEARS,
PRESENTLY R/AT SITE NO.22,
LAKE VIEW LAYOUT,
SITUATED IN SURVEY NO.50/2 AND 50/5,
RAJIV NAGAR,
MYSORE-570019

24. MAHMOOD SHARIF
S/O GAFFAR SHARIF,
AGED ABOUT 47 YEARS,
PRESENTLY R/AT SITE NO.23,
LAKE VIEW LAYOUT,
SITUATED IN SURVEY NO.50/2 AND 50/5,
RAJIV NAGAR,
MYSORE-570019

25. SAQUIB SERVER
S/O K R SIRAJ AHMED,
AGED ABOUT 39 YEARS,
PRESENTLY R/AT SITE NO.24,
LAKE VIEW LAYOUT,
SITUATED IN SURVEY NO.50/2 AND 50/5,
RAJIV NAGAR,
MYSORE-570019

26. SIDDIQ AHMED
S/O D DASTGIR,
AGED ABOUT 42 YEARS,
PRESENTLY R/AT SITE NO.25,
LAKE VIEW LAYOUT,
SITUATED IN SURVEY NO.50/2 AND 50/5,
RAJIV NAGAR,
MYSORE-570019

27. SIDDIQA
W/O MOHAMMED KHADAR,
AGED ABOUT 34 YEARS,
PRESENTLY R/AT SITE NO.26,
LAKE VIEW LAYOUT,
SITUATED IN SURVEY NO.50/2 AND 50/5,
RAJIV NAGAR,
MYSORE-570019

28. UMME HASEEBA
W/O ABDUL KHADAR,
AGED ABOUT 52 YEARS,
PRESENTLY R/AT SITE NO.27,
LAKE VIEW LAYOUT,
SITUATED IN SURVEY NO.50/2 AND 50/5,
RAJIV NAGAR,
MYSORE-570019

29. MOHAMMED SHAHBAZ
S/O MOHAMMED BABU JAN,
AGED ABOUT 48 YEARS,
PRESENTLY R/AT SITE NO.28,
LAKE VIEW LAYOUT,
SITUATED IN SURVEY NO.50/2 AND 50/5,
RAJIV NAGAR,
MYSORE-570019

30. REHAN AHMED DURRANI
S/O M A K DURRANI,
AGED ABOUT 55 YEARS,
PRESENTLY R/AT SITE NO.29,
LAKE VIEW LAYOUT,
SITUATED IN SURVEY NO.50/2 AND 50/5,
RAJIV NAGAR,
MYSORE-570019

…PETITIONERS

(BY SRI. MOHAMMED TAHIR, ADVOCATE)

AND:

1. THE COMPETENT AUTHORITY
FOR M/S INJAZ INTERNATIONAL AND
ASSOCIATED GROUP OF ENTITIES,
3RD FLOOR, MINI V V TOWER,

PODIUM BLOCK,
DR. AMBEDKAR VEEDHI,
BENGALURU-560001.

…RESPONDENT

(BY SRI. VEERESH BUDIHAL, ADVOCATE)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE WRIT OF MANDAMUS TO THE RESPONDENT TO CONSIDER THE REPRESENTATION DTD. 23.09.2024 i.e. ANNX-A AND CONSEQUENTLY ACCEPT THE ENTIRE SALE CONSIDERATION AMOUNT FROM THE PETITIONERS TOWARDS THE COMPLIANCE OF THE ORDER OF SPECIAL COURT IN MISC.NO. 718/2022.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING - B GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

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

ORAL ORDER

The petitioners are before this Court seeking for issuance of a writ of *mandamus* directing the respondent-Competent Authority to consider their representation dated 23.09.2024 and accept the sale consideration offered by them in respect of the petition schedule properties.

2. The background in which the petitioners are before this Court is that the petitioners claim to be the purchasers of residential sites from one Sri. Suhail Ahmed Sharif who was a partner of the Financial Establishment, namely, M/s. Injaz International and Associated Group of Entities.

3. The State Government, upon noticing certain illegalities and mismanagement in the Financial Establishment named above, had appointed the Competent Authority to liquidate the funds, recover the amounts on behalf of the company and to distribute the same to the depositors.

4. The State Government has passed an order of attachment under Section 3(2) of the Karnataka Protection of Interest of Depositors in Financial Establishments Act, 2004 (hereinafter referred to as 'the Act') and thereafter, the Competent Authority approached the Special Court under Section 5(2) of the Act, seeking further orders regarding attachment of the properties and to take further steps.

5. The said proceedings were numbered as Miscellaneous No.718/2022, which came to be disposed of on

21.11.2022 by allowing the petition and making the order of attachment absolute and directing the Competent Authority to take steps for realization of the amount from the attached properties and for distribution of the same to the depositors of the respondent-Financial Establishment. In the said proceedings, the petitioners herein were not parties.

6. Aggrieved by the order passed by the Special Court, the petitioners have challenged the said order in MFA No.930/2024 before the Hon'ble Division Bench of this Court contending that the said order is affecting their rights over the properties purchased by them. The said appeal came to be dismissed by a judgment dated 26.09.2024. It is submitted at the Bar that the said judgment has become final.

7. After dismissal of the said appeal, the petitioners had approached the Competent Authority by submitting a common representation dated 23.09.2024, offering to pay the misappropriated amount and for release of the properties claimed by them.

8. The learned counsel appearing for the second respondent has filed a memo dated 24.10.2024, enclosing therewith a copy of the endorsement dated 09.10.2024 rejecting the offer made by the petitioners to pay the misappropriated amount.

9. It is further stated that the Competent Authority has an obligation to take necessary steps for recovery and liquidation of the assets for the purpose of disbursement in favour of the depositors and therefore, the offer of the petitioners cannot be accepted in the light of their challenge to the order of the Special Court having been negated by the Hon'ble Division Bench of this Court.

10. The contention of the petitioners is that the endorsement dated 09.10.2024 was issued only to the first petitioner and not to the other petitioners.

11. In the light of the aforesaid circumstances and taking note of the issuance of the endorsement dated 09.10.2024, the prayer in the writ petition does not survive for further consideration.

12. In the result:

ORDER

i. The writ petition is ***dismissed***.

ii. The respondent-Competent Authority shall communicate the endorsement dated 09.10.2024 to all the petitioners within a period of three (3) weeks from today.

iii. It is needless to observe that, if the petitioners have any legal right to challenge the endorsement issued by the respondent-Competent Authority, it is open to them to seek redressal in accordance with law.

Sd/-
(T.P.VIVEKANANDA)
JUDGE

SJK
List No.: 1 Sl No.: 32