HC-KAR

NC: 2026:KHC:59955
WP No. 28712 of 2026

CNR: KAHC010630962026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE C.M. POONACHA

WRIT PETITION NO. 28712 OF 2026 (GM-DRT)

BETWEEN:

1. SRI PRAJWAL K M
   S/O. MUNIVENKATASWAMY,
   AGED ABOUT 24 YEARS,
   (PROP K.M. FOOD INDUSTRIES)
   C/O. K.H. MUNIVENKATASWAMY,
   R/AT NO. 191, KOLATHURU
   VILLAGE, KASABA HOBLI,
   HOSAKOTE TALUK,
   BENGALURU RURAL DISTRICT - 562114

2. SMT. ANJINAMMA,
   W/O. LATE HANUMATHARAYAPPA,
   AGED ABOUT 74 YEARS,
   R/AT NO. 191, KOLATHURU VILLAGE,
   KASABA HOBLI, HOSAKOTE TALUK,
   BENGALURU RURAL DISTRICT - 562114

...PETITIONERS

(BY SRI. BABU.,ADVOCATE)

AND:

1. UNION BANK OF INDIA
   REP. BY ITS CHIEF MANAGER/
   AUTHORISED OFFICER,
   GANGAMMA GUDI ROAD,
   HOSAKOTE BRANCH,
   HOSAKOTE,

BENGALURU RURAL DISTRICT - 562114

…RESPONDENT

(BY SRI. PRABHU RAO C B.,ADVOCATE)

THIS WP IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECTING THE RESPONDENT BANK NOT TO TAKE POSSESSION OF THE RESIDENTIAL HOUSE PROPERTY OF THE PETITIONERS.

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

CORAM: HON'BLE MR. JUSTICE C.M. POONACHA

ORAL ORDER

The present writ petition is filed seeking for the following reliefs:

> *"a) ISSUE a writ in the nature of mandamus directing the respondent bank not to take possession of the residential house property of the Petitioners.*
>
> *b) Issue a writ of certiorari and quash the order dated 03-09-2026 passed in Crl. Misc. 1589/2026 by the Hon'ble Chief Judicial Magistrate, Bengaluru Rural District at Bengaluru, which is produced as ANNEXURE - A.*
>
> *c) Pass such other order or direction that this Hon'ble court deems fit to pass in the circumstances of the case."*

2. This Court vide order dated 01.10.2026, order as under:

> *Learned counsel for the petitioners submits that the petitioners have paid a sum of Rs.1,50,000/- to the respondent - bank on 30.09.2026 and that the*

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petitioners undertake to pay a further sum of Rs.2,00,000/- within a further period of one month.

2. However, the request of one month is not acceptable. The petitioner to pay a further sum of Rs.2,00,000/- on or before the next date of hearing.

3. Subject to the aforementioned, interim stay as prayed for is granted till the next date of hearing.

4. It is made clear that if the further amount is not deposited as ordered above, not only shall the interim order be vacated, the writ petition itself is liable for rejected.

5. Re-list on 27.10.2026.

3. It is submitted on behalf of the respondent that a sum of Rs.2,00,000/- was required to be paid by the petitioner in terms of the order dated 01.10.2026 has not been paid.

4. Learned counsel for the petitioner seeks for further accommodation to pay the said amount.

5. Having regard to the fact that the petitioner seeks to impugn the order dated 03.09.2026 passed in Criminal Misc. No.1589/2026 by the Chief Judicial Magistrate, which order is passed consequent to proceedings initiated by the respondent - Bank under the provisions of Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act,

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2002[1] and having regard to the fact that alternate remedies are available to the petitioner under the provisions of the said Act, the present writ petition stands dismissed.

6. This order will not preclude the petitioner from availing remedies in accordance with the law.

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(C.M. POONACHA)
JUDGE

BS
List No.: 1 Sl No.: 24

[1] Hereinafter referred to as ' SARFAESI Act'