HC-KAR

NC: 2026:KHC:64129
WP No. 12451 of 2024

CNR: KAHC010223722024

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. 12451 OF 2024 (GM-DRT)

BETWEEN:

SMT. R. NAGAMMA
W/O HANUMANTHARAYAPPA
AGED ABOUT 65 YEARS
RESIDING AT 9/1
NAGAMMA BUILDING
1ST G CROSS
POOJAMMA TEMPLE ROAD
GORAGUNTEEPALYA
BANGALORE-560 022

...PETITIONER

(BY SRI: SHARATHKUMAR SHETTY, ADVOCATE)

AND:

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

1. THE BHARAT CO-OPERATIVE
   BANK LIMITED
   NO.30, 15TH CROSS
   3RD BLOCK, JAYANAGAR
   BANGALORE-560 011
   REPRESENTED BY ITS
   AUTHORIZED SIGNATORY

2. SRI. KUMAR B.S
   S/O SHIVALINGE GOWDA
   AGED ABOUT 36 YEARS
   RESIDING AT
   NAMA 43, 2ND CROSS
   2ND MAIN, VEERABHADRANAGAR

B.S.K 3RD STAGE
BANGALAORE-560 085

3. SRI. ARUN KUMAR
S/O BEEMAIAH
AGED ABOUT 36 YEARS
RESIDING AT NO.199
2ND CROSS, 6TH STAGE
SRINIVASAPURA
KENGERI, BANGALORE-560 060

…RESPONDENTS

(BY SRI: K V LOKESH, ADVOCATE FOR R1)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT IN THE NATURE OF CERTIORARI AND QUASH THE IMPUGNED SALE NOTICE, DATE NOT MENTIONED IN THE NOTICE ISSUED BY THE 1ST RESPONDENT AS PER ANNEXURE-H AND TO DIRECT THE 1ST RESPONDENT TO COLLECTED/RECEIVED THE LOAN AMOUNT OF PETITIONER AND ETC.

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

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

ORAL ORDER

The instant writ petition is filed by the petitioner challenging the sale notice issued by respondent No.1 proposing to sell the mortgage property.

2. It is the submission of learned counsel for the petitioner that much prior to filing of the instant writ petition,

the secured asset was sold and the sale certificate had been issued on 18.12.2023 itself. Therefore, the prayer sought for in the writ petition do not survive for consideration, since the sale of the property took place much prior to filing of the writ petition itself.

3. If the petitioner has any grievance with regard to the sale of secured property, the petitioner will have to avail the alternative remedy of appeal before the Debt Recovery Tribunal.

Accordingly, the writ petition is ***disposed of.***

Sd/-
(T.P.VIVEKANANDA)
JUDGE

BGN
List No.: 1 Sl No.: 2