HC-KAR

NC: 2026:KHC:55025
WP No. 7351 of 2020

CNR: KAHC010164212020

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 5TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

WRIT PETITION NO.7351 OF 2020 (GM-DRT)

BETWEEN:

1. H RAVIPRAKASH REDDY
   AGED 49 YEARS
   S/O LATE RAJAGOPAL REDDY
   R/A DOOR NO.2, SITARAM NIVAS
   K C ROAD, BELLARY-583101.

...PETITIONER

(BY SRI. V MOHAN, ADVOCATE)

AND:

1. STATE BANK OF INDIA
   AUTHORISED OFFICER
   REGIONAL BUSINESS OFFICE
   REGION IV, SBI BUILDING
   STATION ROAD, BALLARI-583101.

2. K NARENDRA REDDY
   AGED 45 YEARS
   S/O K RAVICHANDRA REDDY
   1-750, RUDRAM PETA
   ANANTHAPUR, ANDHRA PRADESH-515001.

...RESPONDENTS

(BY SRI. B.N. TULSI KUMAR, ADVOCATE FOR R1)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO QUASH THE

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SACHIN SHANKAR MAGADUM
Verified

IMPUGNED POSSESSION NOTICE DATED 03.12.2019 ISSUED BY THE R-1 BANK IN RESPECT OF THE SCHEDULE PROPERTY AND ETC.

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

CORAM: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

ORAL ORDER

The petitioner, who is a default borrower, is assailing the Possession Notice dated 03.12.2019 issued by the respondent- Bank invoking the provisions of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short, 'the SARFAESI Act').

2. No interim order is granted by this Court.

3. The Hon'ble Apex Court has consistently held that the actions contemplated by the Secured Creditor under the provisions of SARFAESI Act are not amenable to the writ jurisdiction.

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4. In view of the availability of an efficacious statutory remedy under the provisions of SARFAESI Act and the settled principles governing the exercise of writ jurisdiction in matters arising under the SARFAESI Act, the writ petition is devoid of merits and is liable to be dismissed.

Accordingly, this writ petition is ***dismissed***.

Digitally Signed By:
SACHIN SHANKAR MAGADUM
Verified

(SACHIN SHANKAR MAGADUM)
JUDGE

NBM
List No.: 1 Sl No.: 3