HC-KAR
CNR: KAHC010671372026

NC: 2026:KHC:55551
WP No. 30945 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF OCTOBER, 2026

BEFORE

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

WRIT PETITION NO. 30945 OF 2026 (GM-DRT)

BETWEEN:

1. SRI S UMASHANKER
   S/O LATE RUDRAPPA,
   AGED ABOUT 63 YEARS,
   R/AT NO. 58, 6TH CROSS,
   SIR M.V.LAYOUT, THINDLU,
   VIDYARANYAPURA, BENGALURU - 560 097.

...PETITIONER

(BY SRI. H N VENKATESHA.,ADVOCATE)

AND:

1. IDBI BANK LTD
   RETAIL RECOVERY BRANCH,
   REPRESENTED BY ITS DEPUTY
   GENERAL MANAGER
   SRI BRIJ KISHORE BILOCHI,
   IDBI HOUSE, NO.58, 2ND FLOOR,
   MISSION ROAD, BENGALURU - 560 027.

...RESPONDENT

(BY SRI.T.P. MUTHANNA.,ADVOCATE)

THIS WP IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASHING PHYSICAL POSSESSION NOTICE DTD. 22.09.2026, ISSUED BY THE RESPONDENT BANK AT ANNEXURE-C, AS ILLEGAL AND CONTRARY TO LAW.

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

CNR: KAHC010671372026

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

ORAL ORDER

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

> *"i) Issue a writ of Certiorari by quashing physical possession notice dtd. 22.09.2026, issued by the respondent Bank at Annexure-C, as illegal and contrary to law.*
>
> *(ii) Issue a writ of mandamus or any appropriate direction, directing the respondents to provide 5 months time to the petitioner to clear the outstanding loan amount of Rs.23.00 lakhs and odd in respect of loan account No.0243675100047852 with the respondent bank and not to proceed with auction sale of the schedule property which is worth more than Rs.6.00 Crores as on date, to meet the ends of justice and*
>
> *(iii) Pass any other appropriate writ/s or direction as deemed fit under circumstances of the case and allow this writ petition in the interest of justice and equity."*

2. Learned counsel for the respondent - bank submits that consequent to the issuance of the impugned notice dated 22.09.2026 (Annexure-C to the writ petition), the petitioner has approached the respondent - bank on 23.09.2026 and paid a sum of `3.00 lakh, consequent to which the loan account of the petitioner has been regularized. Hence, it is submitted that since the loan account of the petitioner has been regularized,

Digitally Signed by CHEPPUDIRA MONNAPPA POONACHA

the question of the respondent - bank taking any further precipitative steps pursuant to the impugned notice dated 22.09.2026 (Annexure-C to the writ petition), which is a possession notice issued consequent to the measures initiated under the provisions of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002[1] and the Security Interest (Enforcement) Rules, 2002, does not arise.

3. Placing the submission made on behalf of the respondent - bank on record, the present writ petition stands disposed of.

4. Pending IAs., if any, also stand disposed of.

Digitally Signed by CHEPPUDIRA MONNAPPA POONACHA

(C.M. POONACHA)
JUDGE

ND
List No.: 1 Sl No.: 56

[1] Hereinafter referred to as 'SARFAESI Act'