HC-KAR
NC: 2026:KHC:55907
WP No. 593 of 2024
CNR: KAHC010688362023

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 7TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MRS. JUSTICE K.S. HEMALEKHA

WRIT PETITION NO.593 OF 2024 (GM-DRT)

BETWEEN:

1. ASHWATH ALVA
S/O. SHANTHA ALVA,
AGED ABOUT 45 YEARS,

2. PUSHPA ALVA
W/O. SHANTHA ALVA,
AGED ABOUT 70 YEARS,

BOTH ARE RESIDING AT D.NO.4-22-2,
SHIVAPRASAD, GUDDEKOPLA,
IDDYA VILLAGE, SURATHKAL,
MANGALURU-575 014.

…PETITIONERS

(BY SRI. DEEPAK WAGLE, ADVOCATE FOR
SRI. KESHAVA BHAT A., ADVOCATE)

Digitally signed by
MAHALAKSHMI B M
Location: High Court
of Karnataka

AND:

1. INDIA BULLA HOUSING FINANCE LTD.,
NO.116, I FLOOR, KRISHNA ARCADE,
BETWEEN 11TH & 12TH CROSS,
MARGOSA MAIN ROAD,
MALLESHWARAM,
BANGALORE-560 003,
REPRESENTED BY ITS
AUTHORIZED OFFICER/MANAGER.

2. ASSETS CARE & RECONSTRUCTION
ENTERPRISE LTD.,
REGISTERED OFFICE 14TH FLOOR,

EROS CORPORATE TOWER,
NEHRU PLACE,
NEW DELHI-110 019,
REPRESENTED BY ITS
AUTHORIZED OFFICER/MANAGER.
REG. UNDER COMPANIES ACT, 2013.

…RESPONDENTS

(BY SRI. FRANCIS XAVIER, ADVOCATE FOR R-2)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO DIRECTION, SETTING ASIDE THE POSSESSION NOTICE DATED 06.12.2023 ISSUED BY THE AUTHORIZED OFFICER OF 2ND RESPONDENT (ANNEXURE-A); CONSEQUENTLY, DIRECT THE RESPONDENTS TO PERMIT THE PETITIONERS TO REGULARIZE THE LOAN ACCOUNT BY PAYING OVERDUE INSTALLMENTS AND ETC.

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

CORAM: HON'BLE MRS. JUSTICE K.S. HEMALEKHA

ORAL ORDER

1. The petitioner has approached this Court impugning the possession notice dated 06.12.2023 issued by respondent No.2.

2. Learned counsel for respondent No.2 submits that, during the pendency of this writ petition, the petitioner has settled the loan account and that respondent No.2 has issued No Due Certificate. A memo to that effect has been filed.

3. Memo is taken on record.

4. In view of the above, the writ petition is ***disposed of.***

Sd/-

JUSTICE K.S. HEMALEKHA

AT
List No.: 1 Sl No.: 1