IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF MAY, 2025

BEFORE

THE HON'BLE MR JUSTICE M.I.ARUN

WRIT PETITION NO. 14477 OF 2025 (GM-RES)

BETWEEN:

1. SMT. BHARATHI R
W/O LATE RAJESH S,
AGED ABOUT 42 YEARS,
RESIDING AT TF-02, 4TH FLOOR,
PAVI GOLDEN, 10TH MAIN,
NEAR VIJAYANAGAR METRO STATION
VIJAYANAGAR, BENGALURU-560 040.

…PETITIONER

(BY SRI SHRIDHARA K., ADVOCATE)

AND:

1. M/S L & T FINANCE LIMITED
(FORMERLY KNOWN AS L&T FINANCIAL SERVICES)
HAVING ITS REGISTERED ADDRESS AT
(NON BANKING FINANCIAL SERVICE COMPANY)
TECHNOPOLIS, 7TH FLOOR, A WING
PLOT 4, BLOCK-BP, SEC-V,
SALT LAKE, KOLKATA,
WEST BENGAL-700 091.

CORPORATE ADDRESS AT:
BRINDAVAN, CST ROAD,
KALINA, SANTACRUZ (EAST)
MUMBAI-400 098.

ALSO AT:
R/O. NO.92, FIRST FLOOR,
ZED SQUARE, JNC ROAD,

Digitally signed by LUCYGRACE
Location: HIGH COURT OF KARNATAKA

5TH BLOCK, KORAMANGALA,
BENGALURU-560 095.
REPRESENTED BY ITS AUTHORIZED OFFICER.

…RESPONDENT

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA, PRAYING TO QUASH THE NOTICE DATED 17.04.2025 ISSUED BY THE RESPONDENT AS PER ANNEXURE-M., IN RELATION TO THE SCHEDULE PROPERTY BY ISSUING AN APPROPRIATE WRIT, ORDER OR DIRECTION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA, ETC.

THIS PETITION, COMING ON FOR ORDERS, THROUGH PHYSICAL HEARING/VIDEO CONFERENCING THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR JUSTICE M.I.ARUN

ORAL ORDER

The petitioner in the instant petition has challenged the action initiated by the respondent - Financial Institution under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short 'SARFAESI Act').

2. The impugned order has been passed by the Court of XXXVII Addl. Chief Judicial Magistrate Court, Bangalore in pursuance of the order of secured creditors passed under Section 13(4) of the SARFAESI Act.

3. The petitioner is having alternative efficacious remedy under Section 17 of the said Act to challenge the order passed under Section 13(4) of the SARFAESI Act. The impugned order passed by the Court of XXXVII Addl. Chief Judicial Magistrate Court, Bangalore under Section 14 of the SARFAESI Act is only a ministerial order and there is no error in the same.

4. For the aforementioned reason, the writ petition is hereby dismissed.

Sd/-
(M.I.ARUN)
JUDGE

NMS