IN THE HIGH COURT OF KARNATAKA,

KALABURAGI BENCH

DATED THIS THE 18TH DAY OF MARCH, 2025

BEFORE

THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

WRIT PETITION NO. 200092 OF 2025 (CS-DAS)

BETWEEN:

SHRI SHEELAVANT
S/O. SOMANNA UMARANI,AGE 48 YEARS, OCC:
BUSINESS,R/O: BEERAPPA NAGAR INDI,
TQ: INDI, DIST: VIJAYAPURA.

…PETITIONER

(BY SMT. HEMA L.KULAKARNI, ADVOCATE)

AND:

1. KARNATAKA STATE SOUHARDA FEDERAL
CO-OPERATIVE LTD.,
#1119/B, KANABARGI INDUSTRIAL AREA,
OPP: K.H.PATIL SABHABHAVAN,
NEAR RURAL AYURVEDIC MEDICAL COLLEGE,
AUTONAGAR, BELAGAVI – 590 016.
REPRESENTED BY ITS DEPUTY REGISTRAR
CO-OPERATIVE SOCIETIES.

2. SHIDDASIRI SOUHARDA CO-OPERATIVE BANK LTD.
HEAD OFFICE, SHRI SIDDESHWARA TEMPLE
COMPOUND AND SIDDESHWARA TEMPLE ROAD,
VIJAYAPURA – 586 101.
REPRESENTED BY ITS MANAGING DIRECTOR.

3. SHYAMALA
W/O SHEELAVANT UMARANI,AGE: MAJOR,
OCC: BUSINESS, R/O: BHEERAPPA NAGAR, INDI,
TQ: INDI, DIST: VIJAYAPURA – 586 209.

Digitally signed by
BASALINGAPPA
SHIVARAJ
DHUTTARGAON
Location: HIGH
COURT OF
KARNATAKA

4. SHASHIKUMAR
S/O SHEELAVANT UMARANI
AGE: MAJOR, OCC: BUSINESS,
R/O: BHEERAPPA NAGAR, INDI,
TQ: INDI, DIST: VIJAYAPURA – 586 209.

5. SHARANAPPA
S/O SHIVALINGAPPA GANGANALLI
AGE: MAJOR, OCC: BUSINESS,
R/O: GORNAL VILLAGE,
TQ: INDI, DIST: VIJAYAPURA – 586 215.

6. GURUSIDDAPPA
S/O SHANTAPPA BIRADAR, AGE: MAJOR,OCC:
BUSINESS,R/O: HORTI VILLAGE,
TQ: INDI, DIST: VIJAYAPURA – 586 203.

…RESPONDENTS

(BY SRI D.P.AMBEKAR, ADVOCATE FOR R2)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE WRIT OF CERTIORARI QUASHING THE IMPUGNED EX-PARTE ORDERS/AWARDS DATED 10-06-2024 IN FILE NO.ಡಿಆರ್‌ಡಿ/ಕ.ರಾ.ಸೌ.ಸಂ.ಸ.ನಿ/4095/2023–24 AND FILE NO. ಡಿಆರ್‌ಡಿ/ಕ.ರಾ.ಸೌ.ಸಂ.ಸ.ನಿ/4095/2023–24 PASSED BY THE RESPONDENT NO.1 AT ANNEXURE-B AND B1, IN THE INTEREST OF JUSTICE AND EQUITY AND ETC.

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

CORAM: HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

ORAL ORDER

(PER: HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE)

This Court vide order dated 15.01.2025 despite noticing the appeal remedy, granted stay order subject to petitioner depositing 25% of the amount in terms of the award within four weeks from that day.

2. It is now stated at the bar that only Rs.20.00 lakhs is deposited and the amount payable is more than Rs.60.00 lakhs.

3. Under the circumstances, the interim order stands vacated.

4. It is also noticed that the petitioner has an efficacious alternative remedy in the form of an appeal before the Tribunal.

5. Petitioner is at liberty to avail the appellate remedy before the Tribunal notwithstanding the dismissal of this petition. Time spent in prosecuting this petition from 13.01.2025 till today is to be excluded in computing the period

of limitation. The amount deposited shall be adjusted towards the arrears payable by the petitioner.

Accordingly, writ petition stands disposed of.

Sd/-
(ANANT RAMANATH HEGDE)
JUDGE

BRN
List No.: 2 Sl No.: 6