

IN THE HIGH COURT OF KARNATAKA, BANGALORE

DATED THIS THE 12<sup>TH</sup> DAY OF SEPTEMBER, 2013

BEFORE

THE HON'BLE MR.JUSTICE K.SREEDHAR RAO

**WRIT PETITION NO: 40405/2011 (GM-CPC)**

**AND**

**WRIT PETITION NO.5105/2012**

**BETWEEN:-**

1. The Vijaya Bank,  
Government of India Undertaking,  
Having its Regional Office at  
No.19, Prim Rose Road,  
Bangalore-5600025,  
Rep. by its General Manager.
2. The Assistant General Manager,  
Authorised Officer,  
Vijaya Bank,  
Mysore Road Branch,  
Chamarajpet,  
Bangalore-560018.

Petitioners

(By Sri Nagaraj Damodar, Advocate)

**AND:-**

1. Sri B.S. Anilkumar,  
S/o. B.L. Shankarappa,  
Aged about 28 years,  
R/at No.643, 10<sup>th</sup> A Cross,  
College Road, II Stage,  
West of Chord Road,  
Mahalakshmipura,  
Bangalore-560086.

2. Smt. Padmavathi,  
W/o. B.L. Shankarappa,  
Aged about 48 years,  
R/at No.643, 10<sup>th</sup> A Cross,  
College Road, II Stage,  
West of Chord Road,  
Mahalakshmpura,  
Bangalore-560086.
3. Sri A.H. Ramesh Kumar,  
Proprietor,  
Age: 50 years,  
M/s. Rathna Enterprises,  
No.573, 1<sup>st</sup> Main, Nagendra Block,  
Banashankari 1<sup>st</sup> Stage,  
Bangalore-560050.
4. Smt. Ramadevi,  
Age 45 years,  
W/o. A.H. Ramesh Kumar,  
M/s. Rathna Enterprises,  
No.573, 1<sup>st</sup> Main, Nagendra Block,  
Banashnkari 1<sup>st</sup> Stage,  
Bangalore-560050.
5. Sri G.R. Ranjeevappa,  
S/o. late Ramakrishnappa G.M.  
Age: 50 years,  
No.179/3, 1<sup>st</sup> Main, G.M.R. Layout,  
Sanjaynagar, Geddadahalli,  
R.M.V. II Stage,  
Bangalore-560094.

Respondents

(R1 & R2 are served and unrepresented)

(Notice to R3 to R5 is dispensed with vide order dt.21.3.13)

THESE W.Ps. ARE FILED UNDER ARTICLES 226 &  
227 OF THE CONSTITUTION OF INDIA WITH A PRAYER TO  
QUASH THE INTERIM ORDER PASSED BY THE XXXVII

ADDITIONAL CITY CIVIL COURT AND SESSIONS JUDGE  
(CCH-38) ON IA No.4 AND 5 IN O.S.NO.2677/2008  
(ANNEXURE-H) BY ISSUING WRIT IN THE NATURE OF  
CERTIORARI OR ANY OTHER WRIT ORDER, DIRECTION AS  
THE CASE MAY BE AND CONSEQUENTLY BY ALLOWING  
THE I.A.NO.4 & 5 FILED IN O.S.NO.2677/2008.

These petitions are coming for preliminary hearing on  
this day, the Court made the following:-

**ORDER**

It is said that the suit is now posted for judgment. In  
that view of the matter, the writ petitions are disposed of.

Sd/-  
JUDGE

SSY\*