



CNR: KAHC010600772025

NC: 2026:KHC:45291
WP No. 27752 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 20TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MS. JUSTICE JYOTI M

WRIT PETITION NO. 27752 OF 2025 (GM-DRT)

BETWEEN:

SHRI. SIDDARTH SONNAD,
S/O. SHARANABASAPPA SONNAD,
AGED ABOUT 47 YEARS,
R/AT FLAT NO. 702,
DONATA MARVEL APARTMENTS,
NO.21, SUNDARNAGAR,
GOKUL EXTENSION,
BENGALURU-560054.

ALSO, AT
NO.3, 2ND FLOOR, MSR WEST PARK,
CHURCH STREET, BRIGADE ROAD,
HDFC BANK, BENGALURU-560001.

...PETITIONER

(BY SRI. JISHNU J. NARAYAN, ADVOCATE FOR
SRI. BADRI VISHAL, ADVOCATE)



AND:

1. CANARA BANK,
BASAVESHWARA ROAD BRANCH,
BENGALURU- 560002.
2. MISS. KAVYA,
D/O. SHIVANAGOUDA T PATIL,
AGED ABOUT 28 YEARS,
3. MR. DEEPTI PATIL,
S/O. SHIVANAGOUDA T PATIL,
AGED ABOUT 23 YEARS,



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4. MR. SHIVANAGOUDA T PATIL,
AGED ABOUT 59 YEARS,

RESPONDENTS NO.2 TO 4 ARE
RESIDING AT E-301, RENAISSANCE PARK,
1ST MAIN ROAD, SUBRAMANYANAGAR,
BENGALURU - 560055.

...RESPONDENTS

(BY SRI. VIGNESH S.SHETTY, ADVOCATE FOR R1;
VIDE COURT ORDER DATED 15.09.2025,
NOTICE TO R2 TO R4 ARE DISPENSED WITH)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA, SEEKING CERTAIN
RELIEFS.

THIS WRIT PETITION IS LISTED FOR PRELIMINARY
HEARING IN 'B' GROUP, THIS DAY, AN ORDER IS MADE AS
UNDER:

ORAL ORDER

Sri.Jishnu J.Narayan, counsel for the petitioner, Sri.Badri
Vishal, and Sri.Vignesh S.Shetty, counsel for respondent No.1,
appeared in person.

2. This petition is filed seeking the following reliefs:

- (a) Issue a writ of certiorari or any other appropriate writ, order or direction, quashing the impugned order dated 29.08.2025 passed by the Debts Recovery Tribunal - 1, Bengaluru in Review Application No.1/2023, insofar as it



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imposes a condition directing the petitioner to deposit a sum of Rs.200 Lakhs (Rs.100 lakhs by 15.09.2025 and Rs.100 Lakhs by 15.10.2025). (Annexure-A).

- (b) Issue a writ of mandamus or any other appropriate writ, order or direction, directing the Debt Recovery Tribunal, Bengaluru, to hear and decide the petitioner's review application No.1/2023 in O.A.No.1050/2020 on merits (Annexure-E).
- (c) Grant such other order or orders as this Hon'ble Court may deem fit, in the interest of justice and equity.

3. In presenting his argument, counsel for the petitioner vehemently contended that the Tribunal, while hearing the matter regarding condonation of delay, could not have passed a conditional order. He drew the court's attention to Section 24 of the Recovery of Debts and Bankruptcy Act, 1993. He also relied on the decision in SHAMASUNDAR Vs KARNATAKA BANK LTD., AND OTHERS in W.P.No.201178/2023 C/W W.P.No.200657/2023, disposed of on 10.07.2024 by the High Court of Karnataka, Kalaburgi Bench, to contend that the High Court has the power under Articles 226 and 227 of the



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Constitution of India to set aside the impugned order. He further urged additional grounds, submitting that the Tribunal's order, which passed a conditional order and directed the petitioner to deposit the amount is unsustainable and liable to be quashed.

Conversely, Sri. Vignesh S.Shetty, appearing on behalf of the Bank, drew the Court's attention to Section 20 of the Act, 1993, to contend that the Tribunal has passed a conditional order and that any person aggrieved by any order of the DRT has a statutory remedy of filing an appeal before the DRAT. He argued that in the present case, though there was a delay in filing the review petition, the Tribunal condoned the delay, extended the benefit of the doubt in favor of the petitioner, and passed the conditional order. The petitioner, hence, cannot have any grievance, and if at all he has any grievance, it must be addressed before the DRAT. Counsel therefore submits that the petition may be dismissed.

4. Heard the arguments and perused the papers with utmost care.



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5. Suffice it to note that the Bank initiated proceedings under the DRT Act in O.A.No.1050/2020 before the Tribunal. The Bank initiated proceedings against the original borrowers and the petitioner. The petitioner was defendant No.4. He was placed *ex parte*. The Tribunal, vide order dated 02.08.2022, passed the final order.

After approximately 115 days, the petitioner, who is defendant No. 4 before the Tribunal, filed a review petition (No.1/2023) and an application (No.3379/2022) to condone the delay. In its order dated 29.08.2025, the Tribunal acknowledged the delays, allowed the petitioner to prove his case, and condoned the delay with a conditional order. The order clearly stated that the petitioner must deposit Rs.200/- Lakhs of which the sum of Rs.100/- Lakhs by 15.09.2025 and sum of Rs.100/- Lakhs by 15.10.2025. The Tribunal's condonation and review approval depended on this deposit, and it was also stated that the I.A. would be dismissed if there was non-compliance. Instead of complying, the petitioner rushed to this Court on 08.09.2025, obtained a stay, and has not made



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any deposits yet. The petitioner is now contesting on the merits without fulfilling the conditional order, which is not permissible.

Under the 1993 Act, any order of the Tribunal entitles the litigant to approach the Appellate Authority. In this case, the petitioner bypassed the statutory remedy, thereby delaying proceedings. The Act provides a comprehensive mechanism for appeals, so this Court declines to interfere at this interim stage and refuses to exercise discretionary powers. The case law cited by the petitioner's counsel is inapplicable here.

6. For the reasons stated above, the petition is ***dismissed***. The petitioner may approach the competent forum, if so advised and if the law permits.

Because of the dismissal of the Writ Petition, any interim order stands discharged, and pending interlocutory applications, if any, are disposed of.

**SD/-
(JYOTI M)
JUDGE**

SS
List No.: 1 Sl No.: 19