HC-KAR

NC: 2026:KHC:45219
WP No. 25907 of 2026

CNR: KAHC010564192026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 20TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 25907 OF 2026 (GM-RES)

BETWEEN:

1. SANDEEP AND D.R.BHARATI
AGED ABOUT 45 YEARS,
NO. 97, 1ST CROSS, 3RD MAIN,
VHBCS LAYOUT, MAHALAKSHMIPURAM,
BENGALURU - 560 086

2. MUDIAM SIVANAGA MOUNIKA
AGED ABOUT 35 YEARS,
FLAT NO.204, SREEJA RESIDENY,
8TH CROSS, BELLANDUR,
BENGALURU - 560 103

3. DAMODAR REDDY GANGASANI AND
MS.LAKSMI NARASAMMA GANGASANI
AGED ABOUT 30 YEARS,
R/AT SLV PG FOR GENTS,
5TH CROSS, DEVARABISANAHALLI,
BENGALURU - 560 103

4. MR. RAJESH SOMISETTY AND
MS.V.LAKSHMI PRASANNA MARISE
AGED ABOUT 33 YEARS,
NO. 305, C GOLDEN LOTUS APARTMENTS,
17TH CROSS, MUTHYALA NAGAR,
NEAR JP PARK BACK GATE,

MATHIKERE,
BENGALURU - 560 054

5. MALI REDDY MANOHARA REDDY
AGED ABOUT 30 YEARS,
NO. 221, 1ST CROSS, NATRVATHI STREET,
NARAYANAPURA, MAHADEVAPURA,
BENGALURU - 560 016

6. SUBRAMANYA HEGDE
AGED ABOUT 40 YEARS
NO.06, 6TH CROSS,
WHITE FIELD MAIN ROAD,
BROOKBOND,
BENGALURU - 560 066

7. K.L.N. KAMESWARA RAO AND KVS PAVANI
AGED ABOUT 45 YEARS,
NO.89, 3RD CROSS, BELLTOWN LAYOUT,
VARANASI,
BENGALURU - 560 036

8. MADHUBAN KISHOR
AGED ABOUT 48 YEARS,
NO.602, BREN CHAMPION SQUARE,
SARJAPUR ROAD,
BENGALURU - 560 035

9. SOMNATH DAS AND PRIYANKA BHOWMIK DAS
AGED ABOUT 43 YEARS,
SHANTIKUNJ APARTMENT,
MADHYAMGRAM,
KOLKATA - 700 129

10. BIDYA SAGAR BORUAH
AGED ABOUT 35 YEARS
POOJA GRAND APARTMENT,
ADUGODI,
BENGALURU - 560 030

11. MR. TATHAGAT BHOWMIK AND SEEMA BHOWMIK
AGED ABOUT 34 YEARS,
FLAT NO.2255, GARIA PLACE KALPANA APARTMENT,
FLAT NO.A-103, SOUTH 24
PARAGANAS - 700 0084
STATE WEST BENGAL

12. JESTINE GEORGE
AGED ABOUT 35 YEARS,
NO.A002, JUMPA DELIGHT,
MLA LAYOUT, KALENA AGRAHARA,
BENGALURU - 560 076

13. PIYUSH ASRANI AND HARISH ASRANI
AGED ABOUT 35 YEARS, NO.29, 2ND CROSS,
1ST MAIN, BTM MICO LAYOUT,
BENGALURU - 560 076

14. NAZAMA NAAZ
AGED ABOUT 36 YEARS,
FLAT NO.E509, ITTINA MAHAVEER SOCIETY,
NEELADRI ROAD,
ELECTRONIC CITY PHASE-I,
BENGALURU - 560 100

15. RAJU SHARMA AND ANJANA SHARMA
AGED ABOUT 37 YEARS,
NO. 777, AKSHAYA BUILDING,

3RD CROSS, A-BLOCK,
VINAYAKA NAGAR,
MURUGESHPALYA,
BENGALURU - 560 017

16. J. MURALI MOHAN AND JONNALAGADDA HARSHINI
AGED ABOUT 36 YEARS,
NO.CG48, GM INFINITE CITY TOWN,
BENGALURU - 560 100

17. SWATI DAS AND SANAN KUMAR
AGED ABOUT 35 YEARS,
NO.23061, PRESTIGE LAKESIDE,
HABITAT,
BENGALURU - 560 087

18. INDUGU KESAVA RAO AND INDUGU GAYATRI
AGED ABOUT 61 YEARS,
NO.21/2, 1ST FLOOR,
MATHRU KRUPA,
1B CROSS, MUTHAPPA BLOCK,
BENGALURU - 560 032

...PETITIONERS

(BY SRI. BASAVARAJU M., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY SECRETARY
REVENUE DEPARTMENT,
VIDHANA SOUDHA,
BENGALURU - 560 001

2. SPECIAL DEPUTY COMMISSIONER
JAYAMAHADEV

BENGALURU URBAN DISTRICT,
KANDAYA BHAVAN, K.G. ROAD,
BENGALURU - 560 009

3. SPECIAL TAHSILDAR
MUNIVENKATAPPA
ANEKAL TALUK, ANEKAL,
BENGALURU - 562 106

4. M/S INFINITE BUILDERS AND DEVELOPERS
REPRESENTED BY SOLE PROPRIETOR
MR.GULAM MUSTAFA,
HAVING ITS REGISTERED OFFICE AT NO.6,
GM PEARL, B.T.M LAYOUT,
1ST STAGE, 1ST PHASE,
BENGALURU - 560 068

…RESPONDENTS

(BY SRI. MOHAMMED JAFAR SHAH, AGA FOR R1 TO R3)

THIS WP IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF MANDAMUS DIRECTING RESPONDENT NOS.2 AND 3 TO EXECUTE THE RECOVERY AMOUNT WITH INTEREST CALCULATED AT THE RATE OF MCLR PLUS 2 PERCENT TILL REALISATION BY ATTACHMENT AND AUCTION PROCEEDINGS WITHIN A TIME FRAME OF 6 WEEKS ANNX -F.

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

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

HC-KAR



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ORAL ORDER

1. Learned Additional Government Advocate accepts notice for respondent nos.1 to 3.

2. Notice to respondent no.4 is dispensed since respondent no.4 is not required to be heard.

3. The petitioners had filed various proceedings before the Karnataka Real Estate Regulatory Authority (RERA) as detailed in paragraph "1" of the petition, where the amounts as indicated there had been awarded by the RERA in respect to each of the petitioners. Recovery certificates had also been issued on various dates as indicated in paragraph "1". Despite the award having been passed and the recovery certificate having been issued, the respondents had not taken any action, and it is in that background that the petitioner is before this Court.

4. Learned Additional Government Advocate submits that the Office of Special Deputy Commissioner has been created for the purpose of implementing the recovery certificates under Section 41 of the Real Estate (Regulation and Development) Act, 2016.

5. His submission is that if the petitioners were also able to furnish details of any properties owned by respondent no.4 with adequate documents, the same would hasten the proceedings of implementing the recovery certificate.

He further submits that an endeavor would be made to implement the said recovery certificate within 60 (sixty) days from today.

6. The said submission of the learned Additional Government Advocate answers the grievance of the petitioners, permitting the petitioners to furnish such documents as the petitioners may have, identifying the properties belonging to respondent no.4, which are unencumbered, the petition stands ***disposed***.

Sd/-
(SURAJ GOVINDARAJ)
JUDGE

GJM
List No.: 1 Sl No.: 18