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Mohammed Riyaz vs the State of Karnataka

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Court : Karnataka Orders

Decided On : Apr-28-2025

Judge : Suraj Govindaraj

Appeal No. : WP/8458/2025

Appellant : Mohammed Riyaz

Respondent : The State of Karnataka

Judgement :

-1-

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF APRIL, 2025 BEFORE THE HON'BLE MR JUSTICE SURAJ GOVINDARAJ WRIT PETITION NO. 8458 OF 2025 (CS-RES) BETWEEN: MOHAMMED RIYAZ S/O K S BHAVA, AGED ABOUT 42 YEARS, DOOR NO 2-397, FATHIMA MANZIL, KAJE PADUVA, KOLAMBE VILLAGE AND POST, MANGALORE TALUK, D.K-574166 PETITIONER (BY SMT. KAVITHA N..,ADVOCATE) AND:

1. THE STATE OF KARNATAKA DEPARTMENT OF CO-OPERATION SOCIETY, VIDHANA SOUDHA, DR. AMBEDKAR VEEDHI, BENGALURU 560 001. REPRESENTED BY ITS SECRETARY.

Digitally signed by SHWETHA RAGHAVENDRA 2. THE ASSISTANT REGISTRAR, Location: HIGH THE RECOVERY OFFICER OF CO-OPERATIVE COURT OF KARNATAKA SOCIETIES, (KCSR-441) CENTRAL CO-OPERATIVE BANK D.K. DISTRICT, MANGALORE -575003.

3. SOUTH CANARA DISTRICT CENTRAL CO-OPERATIVE LTD, (REGISTERED UNDER CO-OPERATIVE ACT) REP BY ITS CEO, / AUTHORIZED OFFICER, UTHKRUSHTA SAHAKARI SOUDHA, K.S. RAO ROAD, KODAILBAIL, MANGALURU-575003.

RESPONDENTS -2- (BY SMT. PRATHIMA HONNAPUR., AAG A/W SRI. YOGESH D. NAIK., AGA FOR R1, R2; SRI. RAKSHITH KUMAR., ADVOCATE FOR R3) THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE FORM NO. 8 AND 9 AUCTION NOTICE DTD. 28.02.2025 ISSUED BY THE ASSISTANT REGISTRAR, RECOVERY OFFICER OF THE CO OPERATIVE SOCIETIES, MANGALORE IN C.E.P.NO. 825/2021-22 CASE NO. JRM/DDS/1362/2020-21 AT ANNX-A AND B (IN SO FAR AS PETITIONER CONCERN) AND ETC. THIS WRIT PETITION, COMING ON FOR PRELIMINARY HEARING IN B GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER: CORAM: HON'BLE MR JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. The petitioner is before this Court seeking for the following reliefs:

a. To Quash the Form No. 8 & 9 auction notice dated 28.02.2025 issued by The Assistant Registrar, Recovery officer of the Co-operative Societies, Mangalore in C.E.P.No.825/2021-22, Case No. JRM/DDS/1362/2020-21 at Annexure-A and B (in so far as petitioner is concern) b. To grant such other relief as this Honble Court deems fit to grant in the facts and circumstances of the case.

2. Interim order passed by this Court not having been

complied with, there is nothing survives for consideration in the above petition. Hence, the above petition stands -3- dismissed and respondent No.3 is permitted

to go ahead with auction process. SD/- (SURAJ GOVINDARAJ) JUDGE LN List No.: 2 Sl No.: 33

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