

IN THE HIGH COURT OF KARNATAKA, BENGALURU

**DATED THIS THE 29<sup>TH</sup> DAY OF JULY 2022**

BEFORE

**THE HON'BLE MR.JUSTICE S.R.KRISHNA KUMAR**

**WRIT PETITION No.9962 OF 2019(CS-RES)**

**BETWEEN:**

MR. K.J.PRAVEEN  
AGED ABOUT 46 YEARS  
NO.72, CHOTANAHALLI VILLAGE  
TADUR VILLAGE HOBLI  
KUNIGAL TALUK, TUMKUR  
BENGALURU – 572 102.

...PETITIONER

(BY SRI. M.A. RAJENDRA, ADVOCATE)

**AND:**

1. THE CHIEF- EXECUTIVE OFFICER  
THE JANATHA CO OPERATIVE BANK LTD.,  
MALLESHWARAM  
BENGALURU – 560 055.
2. THE JOINT REGISTRAR OF  
CO-OPERATIVE SOCIETIES & RECOVERY  
OFFICER, KARNATAKA STATE SOUHARDA  
FEDERAL CO-OPERATIVES LTD.,  
NO. 132, 2<sup>ND</sup> FLOOR, K.H.ROAD  
BENGALURU – 560 027.

...RESPONDENTS

(BY SRI. S.K. SAILESH., ADVOCATE FOR R-1  
SMT. H.C. KAVITHA., HCGP, FOR R-2)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO SET ASIDE/QUASH THE IMPUGNED ORDER DTD: 28.08.2018 PASSED BY THE JOINT REGISTRAR OF CO-OPERATIVE SCIENCES VIDE ORDER ANNEXURE-A AND ETC.

THIS W.P. COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP THIS DAY, THE COURT MADE THE FOLLOWING:-

**ORDER**

Learned counsel for the petitioner remained absent though the matter was called out in the pre-lunch session and post-lunch session. Counsel for the 1<sup>st</sup> respondent – Bank is present before the Court.

2. The material on record discloses that the petitioner has an alternative remedy by way of an appeal before the Karnataka Administrative Tribunal (for short 'the KAT'), Bangalore, against the impugned order at Annexure-A dated 28.08.2018. Under these circumstances, I am of the view that the petition deserves to be disposed of without interfering with the impugned order and by reserving liberty in favour of the petitioner to approach the KAT within a period of four weeks from today. If the petitioner approaches the KAT within the aforesaid period, the petitioner would be entitled to the benefit of Section 14 of the Limitation Act. It is further directed that the amount deposited by the petitioner before this Court is directed to be refunded to him. It is further directed that in the event

the petitioner files an appeal before the KAT as stated supra, the KAT shall endeavour to dispose of the same as expeditiously as possible.

3. Subject to the aforesaid direction and liberty reserved in favour of the petitioner, petition stands disposed of.

**Sd/-  
JUDGE**

Srl.