

IN THE HIGH COURT OF KARNATAKA, BENGALURU

DATED THIS THE 29TH 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, 2ND 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 1st 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.