



**IN THE HIGH COURT OF KARNATAKA,
KALABURAGI BENCH
DATED THIS THE 31ST DAY OF DECEMBER, 2024
BEFORE
THE HON'BLE MR. JUSTICE M.I.ARUN
WRIT PETITION NO.203969 OF 2024 (CS-RES)**

BETWEEN:

M/S. JAYALAXMI ENTERPRISES
THROUGH ITS PROPRIETOR
GIRISH S/O RAVINDRA UPPIN,
AGE: 45 YEARS, OCC: BUSINESS,
R/O SHIVALING NIVAS, RAJPUT GALLI,
INDI ROAD, VIJAYAPURA-586 101.

...PETITIONER

(BY SRI. MANJUNATH GINNI, ADVOCATE)

AND:

1. THE VIJAYAPURA DIUSTRICCT CENTRAL
CO-OPERATIVE BANK LTD.,
HEAD OFFICE ASHRAM ROAD,
BR. VIJAYAPURA-586 101,
REPRESENTED BY ITS
CHIEF EXECUTIVE OFFICER.
2. VIJAYKUMAR
S/O SHIVALINGAPPA UPPIN,
AGE: 75 YEARS, OCC: PRIVATE WORK,
R/O H.NO.8, SOLAPUR ROAD,

Digitally signed by
SHILPA R
TENIHALLI
Location: HIGH
COURT OF
KARNATAKA



BEHIND KHB COLONY,
VIJAYAPURA-586 101.

3. AVINASH
S/O AMARESH ALAGUNDAGI,
AGE: 38 YEARS, OCC: PRIVATE WORK,
R/O WARD NO. 4, RAJPUT GALLI,
VIJAYAPURA-586 101.
4. THE ASSISTANT REGISTRAR OF
CO-OPERATIVE SOCIETIES, VIJAYAPURA,
DIST. VIJAYAPURA-586 101.

...RESPONDENTS

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA, PRAYING TO, (A) ISSUE A WRIT OF CERTIORARI QUASHING THE IMPUGNED ORDER AND AWARD DATED 28.11.2024 IN FILE NO.JRL/B/DDS/104/2024-25 PASSED BY THE ARBITRATOR OF THE CO-OPERATIVE SOCIETIES O/O ASSISTANT REGISTRAR, VIJAYAPURA-RESPONDENT NO.4 AS PER ANNEXURE-E IN THE INTEREST OF JUSTICE AND EQUITY; (B) ISSUE ANY WRIT OR DIRECTIONS OR ORDERS AS THIS HON'BLE COURT DEEMS FIT IN CIRCUMSTANCES OF THE CASE IN ENDS OF JUSTICE.

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



CORAM: HON'BLE MR. JUSTICE M.I.ARUN

ORAL ORDER

(PER: HON'BLE MR. JUSTICE M.I.ARUN)

The dispute pertains to recovery proceedings initiated by respondent No.1-Bank against the petitioner for default in payment of loan committed by the petitioner. The petitioner is having an alternative efficacious remedy.

For the said reason, the writ petition is hereby dismissed reserving the liberty to the petitioner to approach the appropriate forum in the manner known to law.

**Sd/-
(M.I.ARUN)
JUDGE**

LG
List No.: 1 Sl No.: 24