

Case Name:- Citizen House Mortgage & Housing Coop. Society Ltd. v. Registrar of Coop. Societies

Citation:- 2026 SCC OnLine Kar 117

Link:- <http://www.sconline.com/DocumentLink/4Zby8m2c>

Judgement:- <https://share.google/gfYcfgm9lEdiky2La>

Summary and Conclusion:-

The background of the case in the final screenshot (Citizen House Mortgage and Housing Co-operative Society Ltd. v. Assistant Registrar, 2026) is a procedural delay regarding a legal challenge before the Karnataka Appellate Tribunal (KAT).

Unlike the previous cases involving loan disputes or election counting, this case is specifically about the right to a timely hearing on a preliminary legal issue.

1. The Underlying Appeal

The Society (the Petitioner) had filed an appeal (Co-op Appeal No. 156/2024) before the Karnataka Appellate Tribunal. This appeal was likely challenging an order previously passed by the Assistant Registrar of Co-operative Societies on December 12, 2023.

2. The Maintainability Issue

Within that appeal, an application (I.A. No. 1) was filed regarding the "maintainability" of the case. In legal terms, a maintainability challenge argues that the court or tribunal does not have the proper authority (jurisdiction) to hear the case, or that the case doesn't meet the legal requirements to proceed.

3. The Source of Frustration

The Petitioner approached the High Court because the Karnataka Appellate Tribunal (Respondent No. 2) had not passed any order on this maintainability application. The case was essentially "stuck" in a procedural limbo where the Society could not move forward with their appeal until this preliminary application was decided.

4. Recourse to Writ of Mandamus

The Society filed this Writ Petition seeking a Writ of Mandamus a court order that compels a government official or lower court to perform a mandatory duty. They weren't necessarily asking the High Court to decide the case for them, but rather to force the Tribunal to finally make a decision so the litigation could progress.

The Government Advocate appearing for the state admitted that the Tribunal would consider the application if given a reasonable timeframe, which led to the High Court's order to resolve it within one month.

Citizen House Mortgage and Housing Co-operative Society Ltd. v. Assistant Registrar (2026), The High Court disposed of the Writ Petition with a directive for a speedy hearing.

Mandamus Issued: The Court directed the Karnataka Appellate Tribunal to hear and pass an appropriate order on the petitioner's application (I.A. No. 1) regarding the maintainability of the appeal.

Deadline: The Tribunal was ordered to pass this order in accordance with the law within one month from the date of receipt of a copy of the Court's order.

Reasoning: The Court noted that since the Tribunal had not yet passed an order on the maintainability application, a time-bound direction was necessary to ensure the legal process moved forward.

Case Name:- CK Narasimha Murthy v. Registrar of Coop. Societies

Citation:- 2025 SCC OnLine Kar 7373

Link:- <http://www.sconline.com/DocumentLink/30y7Dfu8>

Judgement:- <https://share.google/zYpTh7wj9Fa0jijjk>

Summary and Conclusion:-

The background of CK Narasimha Murthy v. Assistant Registrar of Co-Operative Societies (2025) is rooted in an election dispute involving the management of a co-operative society.

1. The Election Controversy

The case revolves around an election that was held on February 6, 2024. The petitioner, CK Narasimha Murthy, had participated in or was a candidate in this election.

2. The Assistant Registrar's Order

The immediate trigger for the legal battle was an order passed by the Assistant Registrar of Co-operative Societies (Respondent No. 2) on February 7, 2024 (just one day after the election).

While the specific details of that order aren't fully detailed in the summary dismissal, the petitioner's primary grievance was that the Assistant Registrar had failed to declare the winners according to the original election notice issued in January 2024. The petitioner essentially claimed that the results of the February 6 election should have been finalized and announced, but were being obstructed or altered by the Assistant Registrar's subsequent order.

3. Seeking a Writ of Certiorari

The petitioner approached the High Court seeking two main things:-

Certiorari: To quash (cancel) the Assistant Registrar's February 7 order.

Mandamus: To force the authorities to declare the winners based on the election that had already taken place.

4. Failure to Prosecute

Despite the high stakes of an election dispute, the case never reached a decision on its merits. The High Court had given the petitioner a deadline (March 14, 2025) to fix "office objections"

(procedural errors in the filing). When the case came up for final hearing on April 4, 2025, neither the petitioner nor his lawyer appeared in court.

Because the petitioner stopped showing up and didn't follow the court's procedural instructions, the Judge concluded they were no longer interested in the case and dismissed it. This meant the Assistant Registrar's original order remained in place by default.

The case CK Narasimha Murthy v. Assistant Registrar of Co-Operative Societies and Another (2025 SCC OnLine Kar 7373) concluded with the High Court of Karnataka dismissing the petition for non-prosecution.

Summary of the Court's Order:

Dismissal: The Court dismissed the Writ Petition because the petitioner failed to appear or represent the matter.

Lack of Interest: The Judge noted that despite a previous order (dated March 14, 2025), there was no appearance on behalf of the petitioner, nor were any office objections complied with. The Court concluded that the petitioner was "not interested in prosecuting the matter."