

Court No. - 3

Case :- WRIT - C No. - 41152 of 2023

Petitioner :- State Bank Of India

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Vivek Mishra

Counsel for Respondent :- C.S.C.

Hon'ble Siddhartha Varma,J.

Hon'ble Shekhar B. Saraf,J.

The petitioner herein is the bank which has initiated proceedings under the SARFAESI Act, 2002 against the respondents borrower.

It is sought to be submitted that an application under Section 14 of the SARFAESI Act, 2002 is pending before the District Magistrate, Prayagraj registered as Case No. 471 of 2023.

In the writ petition, it is also disclosed that the borrower has not obtained any stay order in the proceeding before any court of law and no objection has been filed before the District Magistrate, Prayagraj in the proceeding under Section 14 of the SARFAESI Act, 2002 which can be decided on merit.

We, therefore, dispose of the present writ petition without entering into the claim that the District Magistrate, Prayagraj shall make endeavour to decide the matter filed under Section 14 of the SARFAESI Act, 2002 as expeditiously as possible, preferably within a period of 30 days from the date of production of certified copy of this order after giving notice to the bank about proceeding, if any, undertaken by the borrower.

Order Date :- 29.11.2023

PK

(Shekhar B. Saraf,J.) (Siddhartha Varma,J.)