

Court No. - 3

Case :- WRIT - C No. - 8640 of 2023

Petitioner :- Vandana Pandey

Respondent :- Bank Of Baroda Thru. Branch Manager / Authorized Officer , Aliganj Lucknow

Counsel for Petitioner :- Sandeep Kumar Pandey

Counsel for Respondent :- Prashant Kumar Srivastava, Anurag Verma

Hon'ble Vivek Chaudhary, J.

Hon'ble Manish Kumar, J.

Shri Anurag Verma, learned counsel for the respondent along with Shri Ajit Singh, Branch Head, Aliganj, Bank of Baroda, Lucknow is present.

The petitioner had paid an amount of Rs.6,10,000/- for an auction conducted by the bank in the year 2011 and a sale certificate was also executed on 20.04.2011 in favour of the petitioner. However, unfortunately the bank could not obtain the possession of the said property from the borrower and his application under Section 14 of SARFESI Act was also dismissed for want of prosecution after lapse of more than 8 years.

Learned counsel for the petitioner has approached this Court praying that amount may be returned to the petitioner.

Learned counsel for the respondent-bank on the basis of the instructions received from the bank states that the bank is ready and willing to return the amount to the petitioner.

In the given circumstances, it is directed that the entire amount be returned to the petitioner within two months from today along with 7% simple interest per annum.

With the return of the amount as directed above, the sale certificate and all claims of the petitioner on the property shall cease to exist.

With the aforesaid directions, this petition is **disposed of**.

Order Date :- 27.10.2023

Ashutosh Pandey