

Court No. - 1

Case :- WRIT - C No. - 10553 of 2023

Petitioner :- Tata Capital Housing Finance Ltd. (Tchfl) Lko.
Thru. Auth. Signatory Mr. Rajesh Sahani

Respondent :- State Of U.P. Thru. Prin. Secy. Home Civil
Sect. Lko. And Others

Counsel for Petitioner :- Ritesh Goel, Aasif Razzaque
Khan, Apurva Saxena

Counsel for Respondent :- C.S.C.

Hon'ble Attau Rahman Masoodi, J.

Hon'ble Om Prakash Shukla, J.

1. Heard learned counsel for the parties.
2. The proceedings under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Securities Interest Act, 2002 (hereafter referred to as "SARFAESI Act") are stated to be pending since the month of July, 2023.
3. In paragraph 3 of the writ petition, it is stated that to the best of petitioner's knowledge, the borrower has not instituted any proceedings before the Debt Recovery Tribunal or there exists any impediment coming in the way of proceedings.
4. Accordingly, we hereby direct the competent authority to proceed with the matter and decide the proceedings under Section 14 of SARFAESI Act, expeditiously, say, within a period of two months in accordance with law, provided there exists no legal impediment.
5. With the aforesaid direction, the writ petition stands **disposed of.**

(Om Prakash Shukla, J.) (Attau Rahman Masoodi, J.)

Order Date :- 5.12.2023

Shubhankar