

Court No. - 3

Case :- WRIT - C No. - 10794 of 2023

Petitioner :- Bank Of Baroda, Ambedkar Nagar Thru. Chief Manager And Power Of Attorney Mr. Kamlesh Kumar Bhaskar

Respondent :- State Of U.P. Thru. Prin. Secy. (Home) U.P. Secr. Lko. And Others

Counsel for Petitioner :- Prashant Kumar Srivastava

Counsel for Respondent :- C.S.C.

Hon'ble Vivek Chaudhary,J.

Hon'ble Manish Kumar,J.

Heard learned counsel for the petitioner and learned

Present writ petition has been filed by the petitioner with the following main prayers:-

"(i) Issue a writ, order or direction in the nature of Mandamus thereby commanding the Respondents no. 2 to 5 to provide the police force immediately in terms of the Section 14 of the SARFAESI Act, 2002 as well as Order, Dated-04.10.2021 passed by the respondent no. 3 under the Authority of Respondent No. 2 U/S 14 of aforesaid Act of 2002 and also ensure the peaceful possession of the Secured Assets i.e. (i) Land & Building constructed over Plot No. 358, Rakba 0.155. hectre situated at Gram-Itraura, Pargana & Tehsil-Akbarpur, Dist.-Ambedkar Nagar, U.P. stands in the name of Smt. Sajida Khatun, W/o Mohd. Aajam (ii) Land & Building constructed over Plot No. 99, Rakba 0.059 hectre situated at Gram-Ratanpur, Pargana & Tehsil-Akbarpur, Dist. Ambedkar Nagar, U.P. stands in the name of Mohd. Ahmad, S/o Mohd. Ibrahim (iii) Land & Building constructed over Plot No. 167M. Rakba 0.012 Hectre situated at Gram-Fatehpur pakri, Pargana & Tehsil-Akbarpur, Ambedkar Nagar, U.P. stands in the name of Smt. Anjum Bano, W/o Mohd. Aajam, immediately and without any further delay in compliance of the Order, Dated-04.10.2021 passed in Computer Case No. D202004040000880;

Bank of Baroda V/S M/S Hindustan Poultry Farm & Ors.

(ii) Issue a writ, order or direction in the nature of commanding the opposite parties to ensure the peaceful actual possession of the aforesaid secured asset as per the provisions of the Section 14 of SARFAESI Act, 2002."

Learned counsel for petitioner submits that the grievance of petitioner would be substantially met if the case of petitioner for the said purposes is considered and decided in a time bound manner.

Learned Standing Counsel has no objection to the same.

In view of the above, respondent no.3, 4 & 5, i.e., Sub-Divisional Magistrate, District Ambedkar Nagar, U.P.; Tehsildar, Akbarpur, District- Ambedkar Nagar, U.P.; and Station House Officer, Police Station Sammanpur, District- Ambedkar Nagar, U.P. are directed to conclude the proceedings of the aforesaid case in accordance with law and take the same to its logical conclusion within a period of six weeks from today, unless there is any legal impediment.

With the aforesaid directions, present writ petition stands **disposed of.**

(Manish Kumar, J.) (Vivek Chaudhary, J.)

Order Date :- 13.12.2023

Manoj K.