

Court No. - 3

Case :- WRIT - C No. - 11668 of 2023

Petitioner :- Nainital Bank Ltd.Lko.Thru.Branch Manager And Constituted Attorney Nainital Bank Ltd.Sharad Dubey

Respondent :- State Of U.P. Thru. Prin. Secy. Home U.P. Lko. And 5 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 Standing Counsel for the State.

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

"(i) Issue a writ, order or direction in the nature of Mandamus thereby commanding the Respondents no. 2 to provide the police force immediately in terms of the aforesaid provision of SARFAESI Act, 2002 as well as Order, Dated-28.3.2017 passed by the District Magistrate Lucknow in Computer Case No. D20151046001922; The Nainital Bank Ltd. Vs. M/s. Maa Veg Oil and others, under Section 14 of aforesaid Act of 2002 (Annexure no.1) and also ensure the peaceful actual possession of the Secured Asset i.e. (i) Shop at ground floor at part of H.No.82/57, Min. 593, Guru Govind Singh Marg, Lalkuan, Lucknow U.P. (Remaining Portion) in name of Mr. Devi Dayal Agrawal (ii) Shop No.17, U.G.F.K.D.T. Plaza Ram Ram Bank Chauraha, Sector-A, Sitapur Road, Yojana, Lucknow, U.P. Owned by Mr. Vishal Agrawal (iii) Shop No. 18, U.G.F.K.D.T. Plaza Ram Ram Bank Chauraha, Sector-A, Sitapur Road Yojana, Lucknow U.P. owned by Mr. Vishal Agrawal, immediately and without any further delay."

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.2, District Magistrate, Lucknow is 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 :- 22.12.2023

Arjun/-