

Court No. - 2

Case :- WRIT - C No. - 10836 of 2024

Petitioner :- Iifl Home Finance Ltd. (India Infoline Housing Finance Ltd.

Respondent :- State Of U.P. Thru. Secy. Home U.P. And 8 Others

Counsel for Petitioner :- Ajit Singh, Deepak Singh, Rajdeep Gupta

Counsel for Respondent :- C.S.C.

Hon'ble Rajan Roy, J.

Hon'ble Brij Raj Singh, J.

Ms. Jyoti Rajpoot, Advocate has filed her vakalatnama on behalf of opposite party No.8, who is the borrower, the same is taken on record.

Heard.

The petitioner secured creditor seeks compliance of the order passed under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (hereinafter referred as "Act of 2002") on 25.07.2024.

We are not supposed to execute the orders of the concerned Authority under Section 14 of the Act of 2002 and the said authority itself is under the obligation to do so in the light of our recent judgment dated 25.10.2024 rendered in Writ- C No.8867 of 2024 and another judgment dated 14.11.2024 rendered in Writ-C No.9723 of 2024.

Let the petitioner approach the opposite party No.3 informing him about the legal position as elucidated in the said judgments whereupon the opposite party No.3 shall do the needful as per law.

As far as the contention of Ms. Jyoti Rajpoot, learned counsel appearing for opposite party No.8- borrower is that the borrower is ready to pay the amount, this is not an issue which can be seen in these proceedings. She may pursue the remedies already availed or initiate fresh proceedings, as may be permissible under the law.

Our order is without prejudice to any proceedings initiated or to be initiated by the borrower or guarantor, as the case may be, as per law.

The petition is **disposed of** in the aforesaid terms.

(Brij Raj Singh, J.) (Rajan Roy, J.)

Order Date :- 19.12.2024

Gurpreet Singh