

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18504 of 2025

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Shravan Kumar Son of Late Vashishta Prasad, Resident of Village and P.O.-
Mirachak, P.S.-Ara Town, District-Bhojpur, Bihar-802301.

... .. Petitioner/s

Versus

1. The General Manager UCO Bank Head Office, 10 BTM Sarani, Brabourne Road, Kolkata 700001.
2. The Regional Manager, UCO Bank, Zonal Office, 4th Floor, Maurya Lok Complex New Dakbunglow Road, Patna 800001.
3. The Branch Manager cum Authorized Officer, UCO Bank, Arrah Branch, District-Bhojpur, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Adesh Raj Singh, Advocate
Mr. Nand Kishor Patel, Advocate

For the Respondent/s : Ms. Sheel Sharma, Advocate
Mr. Shivendra Kumar Roy, Advocate
Ms. Smriti Kumar Singh, Advocate
Mr. Ranjana Srivastava, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 27-11-2025 Heard learned counsel for the parties concerned.

2. The present writ application has been filed for challenging the possession notice dated 28.08.2025 under Section 13(4) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, in short, the “SARFAESI Act.”

3. Learned counsel for the petitioner submits that petitioner had taken a business loan of Rs. 5,00,000/- (Rupees Five Lakh only) from UCO Bank, Arrah Branch, having Account No. 10720510000113 in the year 2016 for running his



business under the name and style of M/s Trimurti Synthetics. The business suffered severe loss during Covid-19 pandemic resulting in financial hardship due to which he could not pay the loan amount in time. The Bank has served a possession notice and the auction date has also been fixed on 30th November, 2025. The outstanding dues as of today is Rs. 5,08,000/- as of 31.03.2025. Learned counsel for the petitioner submits that the petitioner shall pay the entire outstanding amount existing as of today in installments within a period of six months and the initial payment of Rs. 1.25 lakhs shall be made within a period of one month and the remaining amount of about four lakh and odd rupees shall be paid in five installments in the next five months.

4. Mr. Shivendra Kumar Roy, learned counsel for the Bank submits that the auction has been withdrawn for technical reasons and if the petitioner repays the loan amount as per his undertaking, the bank may not take recovery action against the petitioner for a period of six months, subject to the condition that if petitioner fails to abide by the terms and conditions of his offer, the Bank shall be at liberty to take appropriate action for recovery as per law.

5. Considering the rival submissions made by the



parties and the offer made by the petitioner to repay the entire outstanding amount existing as of today within a period of six months, the present writ application is disposed with direction to the petitioner to pay a sum of Rs. 1.25/- lakh (One Lakh Twenty Five Thousand only) to the Bank within a period of one month from today and Rs. 80,000/- (Rupees Eighty Thousand only) per month for four months and the remaining amount shall be paid in the last month i.e. sixth month.

6. The present writ application is disposed of with the aforesaid observation and direction.

7. It is made clear that if the petitioner defaults in payment of installment in any of the months, the bank shall be at liberty to proceed against the petitioner in accordance with law for recovery of the amount.

(Anil Kumar Sinha, J)

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