HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

S.B. Civil Writ Petition No. 592/2025

Vishnu Ram S/o Shri Mukna Ram, Aged About 36 Years, Resident Of Jeniyo Ka Bass, Village Bisalpur, District Jodhpur.

----Petitioner

Versus

1. State Of Rajasthan, Through Commissioner Of Police, Jodhpur Commissionerate, Jodhpur.
2. Managing Director And Ceo, Smfg India Home Finance Co. Ltd. (Formerly Known As Fullerton India Home Finance Co. Ltd.), Having Its Office At 503, 504, 5Th Floor, G-Block, Inspire Bkc, Bkc Main Road, Bandra Kurla Complex, Bandra (E) Mumbai- 400051.
3. Manager, Smfg India Home Finance Co. Ltd. 1St Floor, Plot No. E-4, 5, Near Bishnoi Dharamshala, Jodhpur (Raj) - 342001.

----Respondents

For Petitioner(s)	:	Mr. Kailash Choudhary.
For Respondent(s)	:	Mr. Arpit Mehta.

HON'BLE MR. JUSTICE VINIT KUMAR MATHUR

Order

21/01/2025

With the consent of the learned counsel for the parties, the present petition is heard and disposed of today itself.

The present writ petition has been filed against the sale notice dated 19.12.2024 (Annex.7) and also for seeking a direction to the respondent bank not to declare the petitioner as NPA.

Learned counsel for the petitioner instead of joining the issue on merit submits that the petitioner is prepared to repay the entire outstanding loan amount to the respondent bank.

Learned counsel for the respondent bank submits that till today, an amount of Rs.22,25,773.04 is outstanding against the petitioner.

Learned counsel for the petitioner submits that the petitioner is prepared to pay an amount of Rs.11,000,00/-(Rupees Eleven Lakhs only) on or before 05:00 pm today itself i.e. on 21.01.2025. However, learned counsel for the petitioner submits that some reasonable time may be granted to the petitioner to repay the remaining loan amount.

The submission made by learned counsel for the petitioner is gracefully accepted by the counsel for the respondent bank on instructions.

In view of the submissions made before this court, the present writ petition is disposed of with a direction to the petitioner to pay an amount of Rs.11,000,00/- (Rupees Eleven Lakhs only) to the respondent bank today i.e. on 21.01.2025 by 05:00 pm and for the payment of the balance of the loan amount, the petitioner is directed to repay the same by 15.08.2025.

It is made clear that if the amount of Rs.11,000,00/-(Rupees Eleven Lakhs only) is not deposited by the petitioner today i.e. on 21.01.2025 by 05:00 pm, the respondent bank will be free to undertake the auction proceedings immediately. If the said amount is deposited by the petitioner today i.e. on 21.01.2025, no coercive steps will be taken against him and

possession of the property shall be handed over to the petitioner immediately.

It is ordered that if the petitioner fails to deposit the outstanding amount by the due date i.e. till 15.08.2025, the respondent bank will be free to recover the same in accordance with law. The petitioner shall surrender the possession of the house to the respondent bank on 16.08.2025.

It is also made clear that if the petitioner does not hand over the possession of the house on 16.08.2025, the respondent bank will be free to move an appropriate application before this court.

(VINIT KUMAR MATHUR),J

465-Anil Singh/-