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2026:GAU-AS:17362

THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/4612/2026

ATIQUR RAHMAN
S/O LATE MR. ABIDUR RAHMAN AND LATE MRS.RUMENA RAHMAN,R/O HOUSE NO. 22, URBAN CITY COMPLEX,NEAR INTERNATIONAL HOSPITAL, G.S. ROAD,GUWAHATI, DIST- KAMRUP (M), ASSAM, PIN-781005

VERSUS

UCO BANK AND ANR
G. N. BORDOLOI, ROAD, SILPUKHURI, IN THE DISTRICT OF KAMRUP (M), ASSAM, PIN -781005

2:THE AUTHORISED OFFICER
UCO BANK
G. N. BORDOLOI
ROAD
SILPUKHURI
IN THE DISTRICT OF KAMRUP (M)
GUWAHATI
ASSAM - 781003

Advocate for the Petitioner : MS ADRITA BHUYAN,

Advocate for the Respondent : SC. UCO BANK,

BEFORE

HON'BLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

23-11-2026

1. Heard Mr. N. Das, learned counsel for the petitioner and Mr. M. Sarmah, learned counsel representing the respondent Bank.

2. Taking note of the grievance raised in this writ petition, the matter is taken up for disposal at the motion stage itself.

3. The petitioner is aggrieved by the inaction on the part of the respondent Bank in considering his offer to liquidate the outstanding dues by tendering a Demand Draft dated 14.05.2026 for an amount of Rs. 6,25,00,000/- against the outstanding dues amounting to Rs. 6,21,59,941.69/- as communicated by the respondent Bank on 05.05.2026.Thus, the petitioner claims the right of redemption.

4. It is not in dispute that the proceeding initiated by the respondent Bank under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest (SARFAESI) Act, 2002 is already under challenge before the Debts and Recovery Tribunal (DRT), Guwahati and the petitioner has also filed an Interlocutory Application being I.A.No. 416/2026 before the learned DRT brining the aforesaid offer on record.

5. In the meantime, the auction purchaser has also approached the DRT to get itself impleaded in the pending SARFAESI proceeding preferred by the petitioner.

6. It is also contended that though the price has been offered in the auction sale, the sale has not yet been confirmed, therefore, the petitioner has the right for

redemption under SARFAESI Act.

7. Having regard to the nature of grievance and the pendency of proceeding before the learned DRT, this Court is of the opinion that the anxiety of the petitioner that the matter is being delayed, for which the petitioner is losing his income from the disputed property, can be redressed, if the claim raised by the petitioner before DRT is concluded at the earliest.

8. Accordingly, this writ petition stands disposed of directing the learned DRT, Guwahati to dispose of the proceeding initiated by the petitioner under the SARFAESI Act as well as the application being IA No. 416/2026, more particularly, by taking note of the right of redemption of the petitioner and to decide whether such right of redemption of the petitioner has matured or has already lapsed. While deciding the matter, the auction purchaser shall also be heard. The entire exercise shall be carried out within a period of **30 (thirty) days** from the date of receipt of a certified copy of this order.

9. With the above observations and directions, this writ petition stands disposed of.

JUDGE

Comparing Assistant