IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.19164 of 2026

Date of Decision: 27.10.2026

Sukhi Ram & Anr. …….Petitioners

Versus

State of Himachal Pradesh & Ors. … Respondents

Coram:
Hon'ble Mr. Justice Sandeep Sharma, Judge.
Whether approved for reporting? [1]

For the Petitioners: Ms. Kiran Lata Negi, Advocate.

For the Respondents: Mr. Rajan Kahol & Mr. Vishal Panwar, Additional Advocate Generals with Mr. Ravi Chauhan & Mr. Anish Banshtu, Deputy Advocates General, for the respondent-State.

Mr. Sunil Mohan Goel, Senior Advocate with Mr. Raman Jamalta, Advocate for respondent-Bank.

Sandeep Sharma, Judge(oral):

Being aggrieved and dissatisfied with notice dated 05.10.2026 issued by Collector (Recovery), H.P. State Cooperative Bank, whereby on account of non-payment of loan amount to the tune of Rs. 10,77,735/- plus interest/arrears, mortgaged property has been put to auction, scheduled to be held on 27.10.2026 at 10:00 a.m., petitioners have approached this Court in the instant proceedings,

[1] *Whether the reporters of the local papers may be allowed to see the judgment?*

praying therein to issue a direction to respondent-Bank to consider the case of the petitioners under One Time Settlement scheme.

2. While putting in appearance on behalf of respondent-Bank, Mr. Raman Jamalta, learned counsel representing respondent-Bank, invited attention of this Court to judgment dated 01.07.2026 passed by Coordinate Bench of this Court in CWP No. 10696/2026, titled *Sukhi Ram and another vs. State of Himachal Pradesh and others*, to contend that similar prayer of the petitioners was considered and decided by this Court, but since petitioners failed to do the needful in terms of directions contained in the aforesaid order, respondent-Bank had no option but to issue the impugned auction notice.

3. Having regard to the nature of prayer and order proposed to be passed in the instant proceedings, this Court sees no necessity to call for reply on behalf of respondents, who are otherwise represented by their respective counsel and as such, same is dispensed with.

4. Though vide judgment dated 01.07.2026 passed by Coordinate Bench of this Court in the case detailed hereinabove, direction was issued to the petitioners to show their bona fide by depositing Rs. 1,50,000/- with the respondent-Bank on or before 02.07.2026, but fact remains that aforesaid amount was not

deposited, rather same came to be deposited one week prior to filing of the petition at hand.

5. In view of the aforesaid judgment, petitioners were also under an obligation to deposit Rs. 1,50,000/- within one week after passing of judgment dated 01.07.2026, but fact remains that such direction has not been complied with.

6. Having taken note of non-compliance of directions contained in the aforesaid judgment passed by Coordinate Bench of this Court, there appears to be no justification to entertain the present petition, but having taken note of the intentions of the petitioners, whereby they intend to settle the matter with the Bank under One Time Settlement scheme, this Court, by way of indulgence, deems it fit to dispose of the present petition with a direction to the petitioners to deposit Rs. 2,00,000/- within a period of one week from today, enabling respondent-Bank to consider the prayer of the petitioners for settlement of loan amount under One Time Settlement scheme, if any. Ordered accordingly. It is made clear that in case sum of Rs. 2 lakh is not deposited by the petitioners within the stipulated time, respondent-Bank would be at liberty to proceed with the impugned auction notice, but till expiry of two weeks from today, no coercive steps shall be taken in terms of the impugned auction notice.

In the aforesaid terms, present petition is disposed of along with pending applications, if any.

(Sandeep Sharma),
Judge

October 27,2026
(sunil)