



HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition Misc. Single No. 1006 of 2026

The Nainital Bank Limited --Petitioner

Versus

District Magistrate and Others --Respondents

And

Writ Petition Misc. Single No. 1009 of 2026

The Nainital Bank Limited --Petitioner

Versus

District Magistrate and Others --Respondents

Presence:-

*Ms. Abhilasha Tomar, learned counsel for petitioner.
Mr. Suyash Pant, learned Standing Counsel with Ms.
Swati Verma, learned Brief Holder for the State of
Uttarakhand/respondent No.1.*

Hon'ble Pankaj Purohit, J. (Oral)

Since both the writ petitions involve common facts and questions of law, they are being decided by this common judgment and order. However, for the sake of convenience, facts of WPMS No.1006 of 2026 are alone being considered.

2. Petitioner, being a secured creditor, wants to initiate proceedings against the borrower for recovery of the loan amount and the interest thereon under the provisions of the SARFAESI Act, 2002.

3. An application under Section 14 of the SARFAESI Act was filed by the petitioner before learned District Magistrate, Udham Singh Nagar, on 05.07.2024.



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4. It is contended by learned counsel for the petitioner that, as per the second proviso to Section 14 of the SARFAESI Act, 2002, the time period for deciding an application under Section 14 is 30 days, which may be extended to an aggregate of 60 days as per the third proviso to Section 14 of the SARFAESI Act, 2002. However, more time has elapsed, and the application is still pending for consideration.

5. The prayer of learned counsel for petitioner is innocuous.

6. Accordingly, both the writ petitions are disposed of, with a direction to learned District Magistrate, Udham Singh Nagar, to decide the petitioner's application dated 05.07.2024 as expeditiously as possible, but not later than four weeks from the date of production of a certified copy of this order.

7. Pending application, if any, stands disposed of accordingly.

(Pankaj Purohit, J.)
23.04.2026

PN