



# **HIGH COURT OF UTTARAKHAND AT NAINITAL**

## **Writ Petition Misc. Single No. 1030 of 2026**

**13 October, 2026**

Safika Khatun

--Petitioner

**Versus**

State Of Uttarakhand & another

--Respondents

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Presence:-

Mr. Mohd. Matlub, learned counsel for the petitioner.

Mr. Yogesh Pandey, learned Deputy Advocate General for the State.

Mr. Ashutosh Thakal, learned counsel for respondent no.2-Bank.  
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### **Hon'ble Pankaj Purohit, J. (Oral)**

Petitioner has challenged the symbolic possession notice dated 08.10.2025 and the demand notice dated 21.01.2025, issued by the respondent-Bank contained in annexures-1 and 2 to the writ petition, whereby symbolic possession of the mortgaged property, i.e. the residential house, was taken by the respondent-Bank on 08.10.2025, and a demand for Rs. 30,92,218/- was raised against the petitioner.

2. The facts of the case, as disclosed in the writ petition, are that the husband of the petitioner had taken a CCL limit of Rs. 63,46,711/- from respondent no.2-Bank for his business as a contractor. Some of the amount was repaid by the husband of the petitioner, and an amount of Rs.30 lakhs remained outstanding in the said account. In the meantime, the husband of the petitioner expired during the COVID-19 pandemic in the year 2021, and an amount of Rs. 30 lakhs remained outstanding against the petitioner's husband. When the said amount was not repaid by the petitioner, impugned notices were issued.



2026:UHC:9289

3. Learned counsel for the petitioner submits that petitioner is a widow and is ready to pay the outstanding amount in installments, provided that the interest part is waived by respondent no.2-Bank. He further submits that representation dated 25.03.2026 was submitted by the petitioner to respondent no.1 with the aforesaid prayer for one-time settlement, which has yet not been decided.

4. Learned counsel for respondent no.2-Bank submits that if representation is filed by the petitioner within a period of fifteen days from today, relying upon the circular dated 28.11.2025, annexed as annexure-4 to the writ petition, the Bank shall consider petitioner's prayer for one-time settlement in accordance with the said circular, if the same is applicable to her.

5. In view of the aforesaid, the writ petition is disposed of finally. Petitioner may file fresh representation before respondent no.2-Bank, ventilating her grievance and relying upon the circular dated 28.11.2025, within a period of fifteen days from today. If such representation is filed, respondent no.2-Bank shall consider the same strictly in accordance with law, giving due consideration to the circular dated 28.11.2025, annexed as annexure-4 to the writ petition, and pass an appropriate order within four weeks from the date of receipt of the representation.

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

**(Pankaj Purohit, J.)**

13.10.2026

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