



SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>WPMS/2596/2026</u> Gurubeer Kaur --Petitioner Versus State Of Uttarakhand --Respondent <u>Hon'ble Manoj Kumar Tiwari, J</u> 1. Mr. Mohit Kumar, learned counsel for the petitioner. 2. Mr. V.D. Bisen, learned Standing Counsel for the State of Uttarakhand. 3. Dr. K.B. Gupta, learned counsel for the respondent-Nainital Bank. 4. According to petitioner, she took a Home Loan from Nainital Bank, Branch Dineshpur, District Udham Singh Nagar. Since there was a default in repayment of loan, therefore, Bank has initiated recovery proceedings by invoking powers under SARFAESI Act, 2002. 5. By means of this writ petition, petitioner has sought the following reliefs:- i) issue a writ, order or direction in the nature of certiorari quashing the impugned e-auction notice dated 08-08-2026 issued by respondent no. 3 (contained as Annexure no. 1, page no. 13, 14 to this writ petition) ii) Issue a writ order or direction in the nature of mandamus commanding and directing the respondents not to take any coercive measure/action against the petitioner pursuant



			to the impugned e-auction notice dated 08-08-2026 issued by respondent no. 3 (contained as Annexure no. 1 to this writ petition) page no. 13, 14. 6. Learned counsel for the petitioner submits that total outstanding, as on today, is ₹15,74,000/- and petitioner is ready to repay the loan, however, tomorrow is the date fixed for auction sale of the secured asset, therefore, the auction sale be stayed, subject to petitioner depositing ₹5,00,000/- with the Bank, within ten days. 7. This Court is not inclined to grant such relief. If petitioner has anything to say, then she can make a representation to the Competent Authority in the Bank. If petitioner makes representation, with a deposit of ₹2.00 lakh with his representation within 24 hours, then the Competent Authority in the Bank shall consider petitioner's request, as per law, for one time settlement or reschedulement of the loan, as the case may be. 8. With the aforesaid observation, the writ petition is disposed of. (Manoj Kumar Tiwari, J) 25.08.2026 Aswal
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