



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/2716/2026</u> Smt Bhagirathi Joshi --Petitioner Versus Bank of Maharashtra and others --Respondents <u>Hon'ble Manoj Kumar Tiwari, J.</u> Mr. D.N. Sharma, Advocate with Ms. Manju Bahuguna, Advocate for the petitioner. 2. 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 Sale Notice dated 10-08-2026 (Annexure no.8, Page no. 83.) issued by the respondent Bank of Maharashtra under the SARFAESI Act, 2002 in respect of the residential property of the petitioner situated at Chhadayal Nayabad, Chandra Nagar Colony, Haldwani, District Nainital, Uttarakhand. II. Issue a writ, order or direction in the nature of mandamus directing the respondents not to proceed with, conduct or confirm the proposed e-auction dated 15-09-2026 in respect of the aforesaid property; III. Issue a writ, order or direction in the nature of mandamus directing the respondent Bank to consider and decide the petitioner's detailed representation dated 27-08-2026 (Annexure No. 9, Page no. 86) by passing a reasoned and speaking order after affording the petitioner an effective opportunity of personal hearing; IV. Issue a writ, order or direction in the nature of mandamus directing the respondent Bank to furnish to the petitioner the relevant documents



		relied upon by it for treating the aforesaid property as secured property, including the alleged loan documents, account-opening documents, KYC records, mortgage/security documents, mobile/contact particulars, valuation signatures, documents and disbursement records; V. Issue a writ, order or direction in the nature of mandamus directing the respondents not to create, confirm or permit any third-party interest in respect of the aforesaid property during pendency of the petitioner's objections and proceedings concerning the disputed transaction.” 3. After arguing for a while, learned counsel for the petitioner submits that petitioner has made a representation to the competent authority in Bank of Maharashtra on 27.08.2026, therefore, the competent authority in the Bank be asked to take decision on that representation. 4. Accordingly, writ petition is disposed of with a direction to the competent authority to take decision on the representation, as per law, within one week from date of presentation of certified copy of this order. 5. In the meantime, auction proceedings may go on; however, auction sale shall not be confirmed till decision on representation is taken. (Manoj Kumar Tiwari, J.) 11.09.2026 Mahinder
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