



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/2690/2026</u> Mrs Jyoti --Petitioner Versus State of Uttarakhand and others --Respondents <u>Hon'ble Manoj Kumar Tiwari, J.</u> Mr. Shashi Kant Shandilya, Advocate for the petitioner. 2. Ms. Mamta Bisht, Deputy Advocate General for the State/respondent no. 1. 3. Mr. Ashish Joshi, Advocate for respondent nos. 2 & 3, through video conferencing. 4. By means of this writ petition, petitioner has sought the following reliefs:- “A) Issue a writ, order in the nature of Certiorari to quash the Possession Notice dated 28.01.2026 issued under Section 13(4) of the SARFAESI Act, 2002 by the Authorized Officer, Canara Bank, in respect of the property under the ownership/title of petitioner situated at Khata No. 00358, Khasra No. 337, Mauza Central Hope Town, Pargana Pachhwadun, Tehsil Vikasnagar, District Dehradun, (contained as annexure No.1, page no.15 to 17 of writ petition). B) Issue a Writ, order or direction in the nature of Mandamus commanding the respondents not to interfere with the peaceful possession and ownership of the petitioner, over the property mentioned in Possession Notice dated 28.01.2026 issued under Section 13(4) of the SARFAESI Act, 2002 by the Authorized Officer, Canara Bank, and not to take any coercive action pursuant to the impugned Possession



			<i>Notice dated 28.01.2026.”</i> 5. According to petitioner, she never took loan from Canara Bank nor she stood as guarantor in respect of any loan taken from said bank by any other person, yet a possession notice was affixed on her property. The possession notice is enclosed as Annexure-1 to the writ petition, which is under challenge in this writ petition. 6. Time was given to learned counsel for the bank to get instructions. Mr. Ashish Joshi, learned counsel has produced in Court an e-mail, which he received from Regional Office, Recovery Section, Dehradun. Based on the said e-mail, Mr. Ashish Joshi submits that possession notice was wrongly issued against petitioner and the competent authority has decided to withdraw the same. 7. This Court do not approve of the manner in which the powers available under SARFAESI Act are invoked against persons, who have nothing to do with the bank.
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			8. Accordingly, the impugned notice dated 28.01.2026 is set aside. The writ petition is allowed with cost of ₹ 5,000/- payable to petitioner through her counsel, within one week. (Manoj Kumar Tiwari, J.) 16.09.2026 Navin
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