

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Civil Writ Petition No. 5685/2026

Shri Suresh Kumar Sharama S/o Shri Narayan Lal Sharma, aged About 45 Years, Resident Of Village Tahuka, Gram Panchayat Tahuka, Tehsil_Mandal, District_Bhilwara, Rajasthan.

-----Petitioner

Versus

1. AU Small Finance Bank Limited, Through Its Authorized Officer Ms. Vijendra Pal, Principal Office At 19_A, Duhleshwar Gardan, Ajmer Road, Jaipur 302001, Rajasthan, A U Small Finance Bank Limited Branch Office Gayatri Ashram, Ajmer Road, Bhilwara, Rajasthan.
2. Smt. Prem Devi W/o Shri Suresh Kumar Sharama, Resident Of Village_ Tahuka, Gram Panchayat Tahuka, Tehsil_Mandal, District_Bhilwara, Rajasthan, Second Address 205, Near School, Sangwa, District Bhilwara, Rajasthan.
3. Shri Mukesh Kumar Sharma S/o Shri Ghasu Lal Sharma, Resident Of Village Tahuka, Gram Panchayat Tahuka, Tehsil_Mandal, Second District_Bhilwara, Rajasthan, Address Magras, Tehsil_ Sahada, District_Bhilwara, Rajasthan.
4. Shri Radhayshyam Sharma S/o Shri Ghasu Lal Sharma, Resident Of Village Tahuka, Gram Panchayat Tahuka, Tehsil_Mandal, District_Bhilwar, Rajasthan And/or 116 Magras, Bada Mandir Road_Tehsil_Sahada, District_Bhilwara, Rajasthan.
5. Shri Sachin Sukhwal S/o Shri Ghisulal Sharma, Resident Of Village_ Tahuka, Gram Panchayat Tahuka, Tehsil_Mandal, District_Bhilwar, Rajasthan, And/or Second Address Magras, Tehsil_Sahada, District Bhilwara, Rajasthan.
6. Shri Guru Sewa Samiti, Sangwa, Address Sangwa, District Bhilwara Rajasthan

-----Respondents

S.B. Civil Writ Petition No. 5646/2026

Shri Suresh Kumar Sharama S/o Shri Narayan Lal Sharma,

Aged About 45 Years, Resident Of Village Tahuka, Gram Panchayat Tahuka, Tehsil Mandal, District Bhilwara, Rajasthan.

----Petitioner

Versus

1. AU Small Finance Bank Limited, Through Its Authorized Officer Ms. Vijendra Pal, Principal Office At 19-A, Duhleshwar Gardan, Ajmer Road, Jaipur 302001, Rajasthan, Au Small Finance Bank Limited Branch Office Gayatri Ashram, Ajmer Road, Bhilwara, Rajasthan.
2. Smt. Prem Devi W/o Shri Suresh Kumar Sharma, Resident Of Village Tahuka, Gram Panchayat Tahuka, Tehsil Mandal, District Bhilwara, Rajasthan. Second Address 205, Near School, Sangwa, District Bhilwara, Rajasthan.
3. Shri Mukesh Kumar Sharma S/o Shri Ghasu Lal Sharma, Resident Of Village Tahuka, Gram Panchayat Tahuka, Tehsil Mandal, District Bhilwara, Rajasthan. Second Address Nagras, Tehsil Sahada, District Bhilwara Rajasthan.
4. Shri Radhayshyam Sharma S/o Shri Ghasu Lal Sharma, Resident Of Village Tahuka, Gram Panchayat Tahuka, Tehsil Mandal, District Bhilwara, Rajasthan. And /or 116 Magras, Bada Mandir Road, Tehsil Sahada District Bhilwara, Rajasthan.
5. Shri Sachin Sukhwal S/o Shri Ghisulal Sharma, Resident Of Village Tahuka, Gram Panchayat Tahuka, Tehsil Mandal, District Bhilwara, Rajasthan. And /or Second Address Magras, Tehsil Sahada District Bhilwara, Rajasthan.
6. Shri Ghisulal Sharma S/o Shri Chhogalal Sharma, Resident Of Village Tahuka, Gram Panchayat Tahuka, Tehsil Mandal, District Bhilwara, Rajasthan. And /or Second Address 90, Magras, Bada Mandir Road, Tehsil Sahada District Bhilwara, Rajasthan.
7. Smt. Sanju Devi W/o Shri Radhayshyam Sharma, Resident Of Village Tahuka, Gram Panchayat Tahuka, Tehsil Mandal, District Bhilwara, Rajasthan. And /or Second Address Magras, , Tehsil Sahada District Bhilwara, Rajasthan.

8. Smt. Shanti Devi W/o Shri Ghisulal Sharma, Resident Of Village Tahuka, Gram Panchayat Tahuka, Tehsil Mandal, District Bhilwara, Rajasthan. And /or Second Address Magras, Tehsil Sahada District Bhilwara, Rajasthan.

-----Respondents

For Petitioner(s) : Mr. Ankit Somani
For Respondent(s) : Mr. Vijay Purohit

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

27/03/2026

1. This Court is conscious of the judgment passed by the Hon'ble Supreme Court of India in the case of "***PHR Invent Educational Society vs. UCO Bank & Ors. (SLP No. 8867/2022)***", wherein it was held that High Courts should ordinarily not entertain petitions under Article 226 of the Constitution of India in matters pertaining to the SARFAESI Act, as an efficacious alternative remedy is available to the aggrieved person.

2. However, keeping in view the submission of learned counsel for the petitioner that the petitioner is *bona fide* interested in clearing the outstanding dues in Loan Account Nos. 9001060817382131 and 9001060714036432, this Court deems it just and proper to dispose of the present writ petitions with a direction to the petitioner to deposit a sum of Rs. 10,00,000/- on or before 31st March, 2026. The petitioner shall thereafter deposit a further sum of Rs. 20,00,000/- on or before 30th April, 2026.

3. In the event the petitioner deposits the aforesaid sum of Rs. 20,00,000/- on or before 30th April, 2026, the respondents shall

restructure the remaining outstanding amount in respect of Loan Account Nos. 9001060817382131 and 9001060714036432 into six equal installments, which shall be deposited by the petitioner on or before the 20th day of each succeeding month.

4. In case the petitioner fails to comply with the aforesaid directions/conditions, the respondents shall be at liberty to proceed against him in accordance with the provisions of the SARFAESI Act.

5. It is further clarified that upon the petitioner clearing the entire outstanding loan amount, possession of the subject property shall be handed over to him by the respondents forthwith.

6. With the aforesaid directions, the present writ petitions as well as the stay application stand disposed of.

(KULDEEP MATHUR),J

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