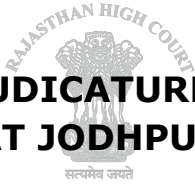


**HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR**



S.B. Civil Writ Petition No. 11054/2024
CNR: RJHC010507032024 | URN: CW / 22098U / 2024

Vishva Bandhu Shrimali S/o Late Satya Deo Shrimali, Aged
About 56 Years, Plot No.110/3, Ashok Nagar, Udaipur - 313001
(Rajasthan) (Pan - Acpps9548E)

----Petitioner

Versus

1. Union Bank Of India And Ors., Through Its Authorized
Officer And Chief Manager, Branch New Fatehpura, 2-A,
New Fatehpura, Udaipur - 313001 (Rajasthan)
2. Mrs. Premlata Devpura W/o Late Shankar Lal Devpura, 4,
Heera Bagh Colony, University Road, Udaipur - 313001
(Rajasthan)

----Respondents

For Petitioner(s) : Ms. Nidhi Singhvi
For Respondent(s) :

HON'BLE MR. JUSTICE SAMEER JAIN

Judgment

23/07/2026

1. The present writ petition has been filed in the year 2024
challenging the proceedings initiated under the Securitisation and
Reconstruction of Financial Assets and Enforcement of Security
Interest Act, 2002 (for short, 'SARFAESI Act').
2. This Court is conscious of the fact that the controversy
involved herein is no more *res integra* and the same has been
dealt with by this Court vide order dated 21.07.2026 in **S.B. Civil
Writ Petition No. 906/2023** titled **Suresh Kumar & Ors. v.
SRG Housing Finance Limited & Anr.** relying upon the ratios
laid down by the Hon'ble Supreme Court in **Satyawati Tondon**

(supra) and Phoenix ARC Pvt. Ltd. v. Vishwa Bharati Vidya Mandir, 2022 INSC 44, wherein *qua* the maintainability of such writ petitions it has categorically held that High Courts ought to be extremely careful and circumspect in exercising their discretion under Article 226 of the Constitution of India in such financial matters pertaining to financial debt/bank recovery/SARFAESI wherein disputed questions of law are involved.

3. It is made clear that the order dated 21.07.2026 passed in **Suresh Kumar (supra)** shall be treated as part and parcel of the present petition.

4. Considering the facts and circumstances of the present case, and taking note of the settled position of law as well as the order referred above, this Court deems it appropriate to dispose of the present petition, with liberty to the petitioner to avail alternate and efficacious remedy before the appropriate forum within a period of 30 days from the date of passing of this order, and the same shall be considered and adjudicated, strictly in accordance with law.

5. It is made clear that interim order, if any, is in currency in favor of the petitioner, the same shall continue for the period of said 30 days and no coercive action shall be taken against the petitioner during and till the said period.

6. In light of the aforesaid observations and liberty, the present petition stands disposed. Pending application(s), if any, shall stand disposed of.

(SAMEER JAIN),J