

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

S.B. Civil Writ Petition No. 14691/2025

Navandeep Kaur W/o Shri Kulvindra Singh, Aged About 37 Years,
R/o Ward No. 05, Chak 6 Dd, Tehsil- Gharsana, District- Sri
Ganganagar, Rajasthan.

-----Petitioner

Versus

1. Aavas Financiers Ltd., First Floor, Plot No. 96, 97, 102,
Block No. Rc-2, Opposite Tehsil Campus, Anoopgarh,
Through Branch Manager.
2. Aavas Financiers Ltd., Registered And Regional Office,
201-202 Southend Square Sp- 1, 2Nd Floor, Mansarover
Industrial Area, Jaipur, Rajasthan, Through Authorized
Person.

-----Respondents

For Petitioner(s)	:	Mr. Durgesh Khatri.
For Respondent(s)	:	-

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

26/08/2025

1. Learned counsel for the petitioner submitted that the petitioner had availed the house loans of Rs.10,00,000/- and Rs.5,50,000/- from the respondent- Aavas Financiers Ltd. and executed a loan agreement and other relevant documents in their favour. He submitted that upon default of the petitioner to repay the entire loan amount, the respondent- Aavas Financiers Ltd., on 06.09.2023 issued her a notice under Section 13(2) of the SARFAESI Act. The validity and propriety of the notice dated 06.09.2023 came to be challenged by the petitioner before this Court by way of filing S.B. Civil Writ Petition Nos.16382/2023 and

16393/2023 and this Court, vide different orders dated 14.12.2023, stayed the effect and operation of the notice dated 06.09.2023 issued against the petitioner subject to her depositing a sum of Rs.4,00,000/- and Rs.1,00,000/- respectively, in the account of the respondent within a period of 15 days from the date of passing of the order.

2. Learned counsel submitted that in compliance of the orders dated 14.12.2023, the petitioner has already deposited a sum of Rs.4,00,000/- and Rs.1,00,000/- in the account of the respondent. Learned counsel submitted that despite the fact that the petitioner had already deposited the amount as ordered by this Court vide order dated 14.12.2023 and consequent thereupon, the effect and operation of the order dated 06.09.2023 is stayed, the respondent- Aavas Financiers Ltd.in violation of the order dated 14.12.2023, initiated proceedings against the petitioner under Section 14 of the SARFAESI Act, 2002 before the Court of learned Sr. Civil Judge-cum-Chief Judicial Magistrate, Sri Ganganagar-whereby, the said Court, vide impugned order dated 15.04.2025, has directed the Superintendent of Police, Sri Ganganagar to provide police aid/assistant to the respondent- Aavas Financiers Ltd. for taking possession of the land in question.

3. Learned counsel submits that since the order dated 15.04.2025 has been passed by the Court of learned Sr. Civil Judge-cum-Chief Judicial Magistrate, Sri Ganganagar in ignorance and utter disregard to the orders dated 14.12.2023, the same deserves to be quashed and set aside.

4. The matter requires consideration.

5. Issue notice to the respondents, returnable in six weeks.



6. In the meantime and until further orders, effect and operation of the impugned order dated 15.04.2025 passed by the Court of learned Sr. Civil Judge-cum-Chief Judicial Magistrate, Sri Ganganagar under Section 14 of the SARFAESI Act shall remain stayed.

7. List the matter after six weeks alongwith S.B. Civil Writ Petition Nos.16382/2023 and 16393/2023.

(KULDEEP MATHUR),J

18-Tikam/-