HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Civil Writ Petition No. 23429/2025

Punjab National Bank, Branch Office, 164-165, Nai Sadak, Jodhpur, Through Its Manager.

----Petitioner

Versus

1. Ritesh Solanki S/o Late Sh. Rajeshwar Solanki, R/o 144, Kirti Nagar, Sector C, Poonjala, Jodhpur.
2. Canara Hsbc Life Insurance Company Ltd., 2Nd Floor, A-45, Bhim Ganga Tower, Akhaliya Chauraha, Pratap Nagar Road, Jodhpur, Through Its Manager, Claim Department.

----Respondents

For Petitioner(s)	:	Mr. Jagdish Chandra Vyas.
For Respondent(s)	:	Mr. Gajendra Panwar.

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

13/02/2026

Learned counsel for respondent No. 1 has shown urgency in the matter; therefore, the case has been taken up out of turn.

Upon perusal of the case file, this Court finds that the Permanent Lok Adalat, Jodhpur Metropolitan, Jodhpur, vide its order dated 10.11.2025 passed in PLA Case No. 81/2025, restrained the petitioner–Bank and respondent No. 2 – Canara HSBC Life Insurance Company Ltd. from recovering the house loan amount from respondent No. 1, which had been advanced to his father. The said direction of the Permanent Lok Adalat was stayed by a Coordinate Bench of this Court vide order dated 20.01.2026.

Learned counsel for respondent No. 1 submitted that despite the order dated 10.11.2025 passed by the Permanent Lok Adalat directing the petitioner–Bank not to recover the loan amount from respondent No. 1, the petitioner–Bank is now intending to auction the mortgaged property. It is further submitted that the well-reasoned order passed by the Permanent Lok Adalat deserves to be upheld by this Court.

Looking to the peculiar facts and circumstances of the case, particularly the fact that the Permanent Lok Adalat, after hearing all the parties, passed a detailed order directing the petitioner–Bank not to recover the loan in question from respondent No. 1, and that the petitioner–Bank is still proceeding to initiate action under the SARFAESI Act, this Court deems it just and proper to modify the interim order dated 20.01.2026.

Accordingly, it is directed that the petitioner–Bank shall not put the mortgaged property to auction until further orders.

Ordered accordingly.

List the matter on 23.02.2026 at 02:00 PM.

(KULDEEP MATHUR),J

135-Tikam/-