

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 6312/2026

URN: CW / 13971U / 2026

AU Small Finance Bank Limited, (Erstwhile Au Financiers India Limited) Having Its Registered Office At 19-A, Dhuleshwar Garden, Ajmer Road, Jaipur Through Its Authorized Officer.

----Petitioner

Versus

1. Superintendent Of Police, District Dausa, Rajasthan.
2. District Collector And Magistrate, Dausa, Rajasthan.
3. Sho Police Station Baswa, District Dausa.
4. Mukesh Saini (Borrower), R/o Parot Waali Dhani Baswa District Dausa, Rajasthan-303327.
5. Smt. Mamta Devi (Co-Borrower), R/o Parot Waali Dhani Baswa District Dausa, Rajasthan-303327 Also At Khasra No 7208, Tehsil Baswa, Land Records Inspectorate, Village Baswa Patwar Halka Baswa, District Dausa, Rajasthan
6. Bhagwan Shay (Co-Borrower), R/o Aame Wali Dhani, Baswa, Dausa, Rajasthan-303327.

----Respondents

For Petitioner(s)	:	Mr. Ravi Kumar Palsaniya Mr. Priyank Sanwariya
For Respondent(s)	:	Ms. Devakriti Vashishtha on behalf of Mr. Bhuwadesh Sharma, AAG

HON'BLE MR. JUSTICE ANAND SHARMA

Order

14/07/2026

1. Learned counsels appearing for both the parties are in agreement that the issue involved in the present writ petition is squarely covered by the judgment dated 30.06.2026 passed by this Court in ***S.B. Civil Writ Petition No.10026/2026 (Jana***

Small Finance Bank Limited Vs. State of Rajasthan & Ors.),

wherein following observations and directions have been given:

"17. In the instant cases, admittedly the petitioners have not approached the concerned Magistrate by way of filing any such application under Section 14 (2) of the Act of 2002. This Court finds that under such circumstances, the present writ petitions filed by the petitioners are totally premature and not maintainable. In view foregoing discussions, the writ petitions filed by the petitioner can not be entertained and are hereby dismissed.

18. However, mere dismissal of the present writ petitions shall not curtail rights of the petitioner financial institution to approach the concerned Magistrate by way of filing an application under Section 14(2) for securing compliance of earlier order passed by the Magistrate under Section 14. Any such proceedings shall be treated in continuation to the earlier proceedings under Section 14 of the Act of 2002. The concerned Magistrate, upon filing of such application, shall examine the contents of the application and shall pass appropriate orders strictly in accordance with law, for securing compliance of its earlier order passed by the concerned Magistrate for the purpose of taking possession of the secured asset and to hand over such possession to the secured creditor. In the event, any such application is filed, same shall be decided expeditiously by the concerned Magistrate."

2. In view of above consensus arrived at between the learned counsels for both the parties, the present writ petition also stands disposed of in the same terms and with the same directions as granted by this Court in the case of ***Jana Small Finance Bank Limited (supra)*** decided on 30.06.2026.

3. Pending application(s), if any, also stand(s) disposed of.

(ANAND SHARMA),J