

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 20082/2025

Indian Bank, A Body Corporate Incorporated Under The Banking Companies (Acquisition And Transfer Of Undertaking) Act, 1970 (Act No. 5 Of 1970) Having Its Corporate Office At Pb No 5555, 254-260, Avvai Shanmugam Salai, Royapettah, Chennai - 600 014, And Branches Amongst Others At Indian Bank, Jaipur Branch, 10, Dhrma Heights, Motilal Atal Marg, Opposite Ganpati Plaza, Jaipur, Rajasthan 302001 Through Its Authorized Officer.

----Petitioner

Versus

1. Superintendent Of Police, Dausa, Rajasthan
2. Station House Officer, Police Station Bandikui, District Dausa, Rajasthan.
3. District Collector, Dausa, Rajasthan
4. M/s. Saraswati Vidya Vihar Samiti, Jagir Bandikui, Having Its Registered Office At Ward No 22, Behind Bsnl Office Malipura, Bandikui, District Dausa, Rajasthan. 303313. (Borrower) Through Secretary.
5. Mukut Bihari Saini Son Of Laxmi Narayan Saini, (Chairman And Guarantor), Resident Of Opposite Jhalani Bagichi, Patel Niwas Badiyal Road, Ward No 20, Bandikui District Dausa 303313.
6. Lekhraj Saini Son Of Narayan Lal Saini, (Secretary/mantri And Guarantor And Mortgagor), Resident Of 1041, Sikanderyan Ka Bas, Bandikui, District Dausa, Rajasthan 303313.
7. Indra Saini Wife Of Lekhraj Saini, (Guarantor And Mortgagor) Resident Of Ward No 23, Behind Panchayat Samiti Baswa Road, Sikandrayan Ka Bas, Malipura Bandikui, District Dausa, Rajasthan 303313.
8. Chagan Lal Saini Son Of Narayan Lal Saini, (Guarantor And Mortgagor), Resident Of 1041, Sikanderyan Ka Bas, Bandikui, Dausa, Rajasthan 303313.
9. Anil Kumar Saini Son Of Chagan Lal Saini, (Guarantor), Ward No 22, Sikandaryan Ka Bas, Bandikui, District Dausa, 303313.
10. Beena Saini Wife Of Chagan Lal Saini, (Guarantor), Ward

No 22, Sikanderyan Ka Bas, Bandikui, Dausa, 303313.

-----Respondents

For Petitioner(s)	:	Mr. Mohit Khandelwal
For Respondent(s)	:	Ms. Divakriti Vashistha for Mr. Bhunesh Sharma Mr. Kapil Kumar Kumawat through VC

HON'BLE MR. JUSTICE ANUROOP SINGHI
Order

10/02/2026

1. The present writ petition has been filed seeking directions to respondents No.1 & 2 to take possession of property being plot at Ward No.23, behind Panchayat Samiti Office, Baswa Road, Sikandrayan ka Bas, Malipura, Bandikui, District Dausa, Rajasthan, from respondents No.4 to 10, as undisputedly, the said property was mortgaged by respondents No.4 to 10 with the petitioner and they have failed to repay the outstanding amount.
2. Learned counsel for the petitioner also submits that earlier possession of the said property was taken, however, respondents No.4 to 10 illegally and forcibly entered into the said property by breaking locks and since then, they are in possession of the said property which is absolutely illegal and unacceptable.
3. Learned counsel further submits that despite granting ample opportunities, respondents No.4 to 10 have not even filed reply to the writ petition and for one reason or the other are seeking time from the Court.
4. Learned counsel further submits that as on date, the outstanding amount as per the bank record is Rs. 3.85 cr. and the respondents No.4 to 10 are offering a meagre amount of Rs. 1.50 cr. to settle the same which is not acceptable.

5. Thus, learned counsel submits that the directions deserve to be issued to respondents No.1 and 2 to take possession of the property and handover the same to the petitioner.

6. Learned counsel placed reliance upon the judgment of this Court in ***S.B. Civil Writ Petition No. 8983/2022*** titled as ***Atma Ram Bishnoi & Anr. vs. District Collector & Ors.***

7. Perusal of the orders passed by this court on various dates reveals that no effective measures have been taken by respondents No.4 to 10 to settle their due amount and even no reply to the writ petition has been filed so as to demonstrate their stand.

8. As a matter of fact, merely because respondents No.4 to 10 are running a school, on the sole pretext of ensuing examinations, time is being sought. It is not in dispute that the respondents No.4 to 10 have not only failed to clear the outstanding amount of petitioner but also trespassed into the said property.

9. On being asked, it has been informed that the board examinations for the academic session 2025-26 will continue till 20.03.2026.

10. Taking note of the overall circumstances, it is directed that respondents No.1 & 2 shall take all possible measures to take over possession of the property from respondents No.4 to 10 and handover the same to the petitioner in the first week of April positively.

11. However, in the event the respondents No.4 to 10 either settle the amount with the petitioner-bank or arrive at a settlement with the petitioner bank, respondents No.1 and 2 may not proceed further for taking over possession of the property.

12. With the aforesaid directions the present writ petition stands disposed of.

13. Pending application(s), if any, shall stand disposed of.

(ANUROOP SINGHI),J

DIPESH CHAYAL /28