



2026:UHC:4031

HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition Misc. Single No.1471 of 2026

22 May, 2026

Almora Urban Cooperative Bank Ltd

--Petitioner

Versus

District Magistrate Dehradun and Others --Respondents

Presence:-

Mr. Siddhant Manral, learned counsel for petitioner.

Mr. Suyash Pant, learned Standing Counsel with Ms.

Swati Verma, learned Brief Holder for the State of Uttarakhand.

Hon'ble Pankaj Purohit, J. (Oral)

Petitioner has moved this writ petition seeking for a direction in the nature of mandamus to the respondent no.1 to decide the application dated 21.10.2024 titled as *Almora Urban Co-operative Bank Ltd. Vs. Sh. Mohd. Faizan & others* (Annexure-3 to the writ petition) and to complete the task of handing over the physical possession of the secured asset as well as documents of the secured asset to the petitioner Bank expeditiously within a shortest period prescribed by this Court.

2. An innocuous prayer has been made by learned counsel for petitioner to this Court seeking a direction to the respondent no.1 to decide the said application within stipulated period.

3. Learned counsel for the petitioner draw the attention of this Court to proviso to Section 14 of the SARFAESI Act, 2002, wherein, it is provided that after being satisfied with contents of the affidavits, the District Magistrate or the Chief Metropolitan Magistrate may pass suitable orders for the purpose



of taking possession of the secured assets within a period of thirty days from the date of application and further proviso provides that the District Magistrate/Chief Metropolitan Magistrate may decide such application for a further period, recording the reasons in writing for the same, and pass the order within such further period but not exceeding in aggregate sixty days.

4. He further submitted that the case of petitioner is squarely covered by the judgment and order dated 16.02.2026 passed by this Court in WPMS No.340 of 2026 *India Shelter Finance Corporation Vs. Chief Judicial Magistrate and Others*, reported in 2026 SCC Online Utt 390 whereby, the said writ petition was disposed of with a direction to respondent no.1 to decide the application of petitioner within a period of thirty days from the date of production of a certified copy of that order i.e. 16.02.2026, strictly in accordance with law.

5. Learned State Counsel does not dispute the said fact that the matter is squarely covered by the judgment and order dated 16.02.2026 passed by this Court in WPMS No.340 of 2026 *India Shelter Finance Corporation Vs. Chief Judicial Magistrate and Others*.

6. I have perused the proviso to Section 14 of the SARFAESI Act, 2002 and find that the submissions made by learned counsel for the petitioner are correct. The application has been pending since 21.10.2024 before the District Magistrate.



2026:UHC:4031

7. In view of the above, the writ petition is disposed of, in terms of judgment and order dated 16.02.2026 passed by this Court in WPMS No.340 of 2026 *India Shelter Finance Corporation Vs. Chief Judicial Magistrate and Others*. Respondent no.1 is directed to decide the application dated 21.10.2024 titled as *Almora Urban Co-operative Bank Ltd. Vs. Sh. Mohd. Faizan & others* (Annexure-3 to the writ petition), within a period of thirty days from the date of production of a certified copy of this order, strictly in accordance with law.

8. Pending application, if any, stands disposed of accordingly.

(Pankaj Purohit, J.)
22.05.2026

PN