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SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<p><b><u>WPMS/1782/2026</u></b> <b><u>Hon'ble Manoj Kumar Tiwari, J.</u></b></p> <p>Mr. D.S. Mehta and Mr. Ketan Aswal, Advocates for the petitioner.</p> <p>2. Mr. Ghanshyam Joshi and Mr. K.S. Mehta, Additional Chief Standing Counsel for the State of Uttarakhand/ respondent nos. 1 to 4.</p> <p>3. Mr. Ashish Joshi, Advocate for respondent no. 5.</p> <p>4. Petitioner contends that she filed a declaratory suit under Section 229-B of Zamindari Abolition and Land Reforms Act, 1950 in respect of a land, which was mortgaged with Canara Bank, by one Sri Mahesh Joshi.</p> <p>5. Since the bank has initiated proceedings for recovery of the loan taken by Sri Mahesh Joshi, therefore, petitioner has approached this Court seeking the following relief: -</p> <p>"1. Issue a writ, order or direction in the nature of mandamus commanding the respondents not to proceed with the proposed auction proceedings or create any third party rights in the property in dispute during the pendency of the proceedings under Section 229-B of the U.P. Zamindari Abolition and Land Reforms Act, 1950."</p> <p>6. Learned counsel for the bank submits that the borrower (Mahesh Joshi) is recorded as bhumidhar in respect of the land in question and the writ petition filed by Mahesh Joshi, challenging the proceedings initiated against him SARFAESI Act, was disposed</p>



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of and he was directed to approach the Debts Recovery Tribunal under Section 17. He submits that present writ petition also deserves to be disposed of with liberty to petitioner to approach the appropriate forum.

7. Having regard to the facts of the case, the writ petition is disposed of with liberty to petitioner to approach Debts Recovery Tribunal under Section 17 within fifteen days.

**(Manoj Kumar Tiwari, J.)**

10.06.2026

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