



2026:UHC:4634

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<p><u>WPMS/1779/2026</u> <u>Hon'ble Manoj Kumar Tiwari, J.</u></p> <p>Mr. Saurabh Kumar Pandey, Advocate for the petitioner.</p> <p>2. Mr. N.S. Pundir, Advocate for respondent no. 1.</p> <p>3. Mr. Ghanshyam Joshi and Mr. K.S. Mehta, Additional Chief Standing Counsel for the State/respondent no. 2.</p> <p>4. According to the petitioner, her husband Sri Sachin Kumar Joshi took a housing loan of ₹12,00,000/- from Uttarakhand Gramin Bank in the year 2019, the loan amount was utilised by him for constructing residential house in Village Padampur Devalia, Motahaldu, Haldwani. Petitioner submits that her husband died on 19.12.2023 after brief illness and at the time of his death, there was only a sum of ₹11,98,000/- outstanding in the housing loan account.</p> <p>5. Learned counsel for the petitioner points out that loan was sanctioned at interest rate of 8.90% per annum, but, now bank is claiming interest at the rate of 9.50% per annum.</p> <p>6. Petitioner is aggrieved by the notice issued under Section 13(4) of SARFAESI Act.</p> <p>7. Learned counsel for the bank submits that the loan account became NPA in the month of January, 2024 and total outstanding, including interest in</p>



		<p>the loan account as on 08.06.2026, is ₹19,19,546/-.</p> <p>8. Learned counsel for the petitioner submitted that even though petitioner is left without any source of income, however, she is ready and willing to enter into One Time Settlement with the bank by selling whatever valuables, including jewellery, she has. Learned counsel for the petitioner submitted that respondent- bank be directed to disclose the amount which petitioner should pay for one time settlement of the term loan.</p> <p>9. Mr. N.S. Pundir, learned counsel appearing for the bank in pre lunch session was asked to get instructions about the amount for which bank is ready to enter into One Time Settlement with the petitioner. In the post lunch session, learned counsel for the bank stated on instructions that bank is ready to enter into One Time Settlement with the petitioner if she deposits a sum of ₹15,00,000/- with the concerned Branch of the Bank.</p> <p>10. Learned counsel for petitioner submits that petitioner is ready to pay ₹15,00,000/- to the bank for One Time Settlement of the dispute. He, however, submits that petitioner be given three months for depositing the amount.</p> <p>11. Mr. N.S. Pundir, learned counsel appearing for the bank submits that he has no objection if some reasonable time is given to petitioner for paying the amount in view of her pathetic financial condition.</p> <p>12. In view of consensus between parties, the writ petition is disposed of by</p>
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permitting petitioner to deposit a sum of ₹8,00,000/- before the Manager of the concerned Branch on or before 20.06.2026. Subject to petitioner depositing ₹8,00,000/- within the stipulated time, she shall be permitted to deposit remaining amount within two months thereafter. Upon deposit of the amount, as aforesaid, bank shall release the title deeds and other papers in favour of petitioner and shall also issue NOC. In case, however, petitioner fails to deposit the amount within given time, then bank shall be at liberty to take appropriate action for recovery of the balance amount, as per law.

(Manoj Kumar Tiwari, J.)

10.06.2026

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