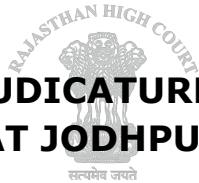




**HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR**



S.B. Civil Writ Petition No. 15250/2026

CNR: RJHC010688762026 | URN: CW / 27572U / 2026

Au Small Finance Bank Ltd, Having Its Office At 5Th Floor,
Shantivan Building, Sardarpura, Jodhpur. Gaurav Bhati Age 36
Years

-----Petitioner

Versus

1. Balraj Singh S/o Gurpanth Singh, Resident Of Ward No 7,
2 Mm Dharingwali Tehsil Srikanpur District Sri
Ganganagar.
2. Satvinder Kaur W/o Balraj Singh, Resident Of Ward No 7,
2 Mm Dharingwali Tehsil Srikanpur District Sri
Ganganagar.
3. Superintendent Of Police, Sri Ganganagar.
4. Station House Officer, Police Station Kesrisingpur District
Sri Ganganagar.

-----Respondents

For Petitioner(s) : Mr. Vijay Purohit

HON'BLE DR. JUSTICE NUPUR BHATI
Order

26/10/2026

1. The instant writ petition under Article 226 of the Constitution
of India has been filed by the petitioner seeking the following
reliefs:-

- I.The present writ petition may kindly be allowed.
- II.The possession of the secured/mortgaged, property, be
restored back to the petitioner-Bank; an
- III.The respondent Nos.6 to 7 may be directed to take the
possession from the respondent No.1 to 2 and restore back the
possession to the petitioner-Bank. That respondent Nos.4 & 5 be
further directed to take up strict and stringent criminal
case/proceedings against the respondent No.1 and every
member of unlawful assembly responsible for the crime. in the
given facts and circumstances of the case and especially in
response to the Complaint filed by the petitioner-Bank i.e.
Annexure 3.
- IV. Heavy cost may be ordered against the respondent No.1 to 2
including every member of unlawful assemble responsible for
violating the orders of this hon'ble court and further assaulting
the rule of law in the facts and circumstances of the case.



V. Appropriate compensation with regard to the forcible possession taken by the respondent No.1 to 2 may also be awarded in favour of the petitioner-Bank.

VI. Any other order of direction, which this Hon'ble Court deems fit and proper in the facts and circumstances of the present case may kindly be passed in favour of the humble petitioner.

VII. That Appropriate Directions to secure the ends of justice and ensure the supremacy of the Rule of Law be passed to the State as Well as District Authorities. Including Respondent No 8."

2. Learned counsel for the petitioner submitted that the petitioner- Bank had granted loan to the respondent No.1 to 3. Since the loan amount was not repaid by the respondent No.1 to 3, therefore, he was declared as NPA and the proceedings under Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short 'the Act of 2002') were initiated by the petitioner- Bank and possession of the mortgaged property was taken over by the petitioner- Bank with the aid of police on 05.05.2026.

3. Learned counsel for the petitioner submitted that the respondent No.1 to 3, after the possession of the mortgaged property being taken over by the petitioner- Bank, forcibly entered the mortgaged property by breaking in. It was submitted that act and inaction of the respondent No.1 to 3 is nothing but tantamount to be an assault on the rule of law. He submits that in the circumstances, the petitioner- Bank approached the Superintendent of Police, Sriganganagar and SHO, Kesrisingpur, for restoring the possession of the mortgaged property but till date, no action has been taken by them.

4. Learned counsel further submitted that it is a sorry state of affairs that despite repeated requests by the petitioner- Bank to take action in the matter, the police authorities are rather silent in the matter by not taking any action pursuant to the complaint registered by the petitioner – Bank. Learned counsel thus prayed that the District Superintendent of Police, Sriganganagar and SHO,



Kesrisingpur, may be directed to act upon the applications/ representations filed by the petitioner for securing the possession of the property mortgaged by it particularly keeping in view the fact that the property in dispute already was taken over by the petitioner – Bank with police aid on 05.05.2026.

5. Heard learned counsel for the petitioner. Perused the material available on record.

6. Having considered the facts and circumstances of the case, this Court deems it just and appropriate to dispose of the present writ petition with a direction to the Superintendent of Police, Sriganganagar and SHO, Kesrisingpur, to act immediately take appropriate action for restoring the possession of the mortgaged property to the bank, in accordance with law. This Court is compelled to observe that if the petitioner is not allowed to take possession of the said property, it will amount to clear case of defiance of law and, therefore, the Superintendent of Police, Sriganganagar and SHO, Kesrisingpur, are under an obligation to act in consonance with the provisions of law for restoring the possession of the petitioner in the circumstance since the petitioner has already approached them.

7. It is expected from the Superintendent of Police, Sriganganagar and SHO, Kesrisingpur, that appropriate action for restoring the possession of the mortgaged property in favour of the petitioner-Bank shall be taken by them within a period of fifteen days from the date of receipt of certified copy of this order.

8. With the aforesaid directions, the present writ petition as well as stay application stand disposed of.

(DR.NUPUR BHATI),J

Crt_10 (1838)
D-A/27
Surbhi Sharma