



2026:AHC:78997-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 13693 of 2026

M/S Hinduja Housing Finance Limited

.....Petitioner(s)

Versus

State Of U.P. And 6 Others

.....Respondent(s)

Counsel for Petitioner(s) : Jawahir Yadav
Counsel for Respondent(s) : C.S.C.

Court No. - 1

HON'BLE AJIT KUMAR, J.
HON'BLE INDRAJEET SHUKLA, J.

1. Heard Sri Jawahir Yadav, learned counsel for the petitioner and Sri P.K. Shahi, learned Additional Chief Standing Counsel for the State respondent.
2. By means of this petition filed under Article 226 of the Constitution, petitioner secured creditor is aggrieved by the act and conduct of the Prescribed Authority under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 in not accepting the application of the petitioner for delivery of possession of secured assets.
3. We fail to understand as to why the Prescribed Authority is not accepting the application moved under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.
4. Recently we have seen a flood of writ petitions before this Court in which the secured creditor or auction purchaser comes for the expeditious disposal of the application under Section 14 of the SARFAESI Act, 2002 and further in the event directions are issued under Section 14 of the SARFAESI Act, 2002, the same is not complied with despite the judgment passed by this Court in the case of **C. Bright v. The District Collector & others, AIR 2020 SC 5747**.
5. We are of this considered view that all the Prescribed Authorities in the

State of Uttar Pradesh, wherever the applications are filed by the secured creditors under Section 14 of the SARFAESI Act, 2002 are hide bound in law to comply with the directions of this Court issued in Hinduja Housing Finance Ltd. (supra) and C. Bright (supra) in view of the mandate contained under Section 14 of the SARFAESI Act, 2002. Any violation to the guidelines laid down by the Supreme Court and this Court in the above judgments amounts to frustrating the very provisions of under Section 14 of the SARFAESI Act, 2002 defeating the very purpose for which the SARFAESI Act, 2002 has been enacted.

6. In the circumstances, we direct the petitioner to move application afresh before the Prescribed Authority under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 within a period of four weeks from today and if he does so, the Prescribed Authority shall proceed to decide the matter in the light of judgment of this Court in the case of **Writ C No. 42608 of 2025 (M/s Hinduja Housing Finance Ltd. v. State of U.P. and 3 Others) (Neutral Citaion 2026:AHC:6598-DB)**, decided on 12.01.2026.

7. By wan of extra precaution, we direct the Additional Chief Secretary, Ministry of Finance and Revenue, Government of U.P., Lucknow, to issue necessary executive orders/ directions to all the Prescribed Authorities in the State of Uttar Pradesh under Section 14 of the SARFAESI Act, 2002 that in the matters of application being moved by the secured creditor, such application should be entertained and disposed of in the light of judgment in the case of Hinduja Housing Finance Ltd. (supra).

8. Registrar (Compliance) is directed to sent a copy of this order to the Additional Chief Secretary, Ministry of Finance and Revenue, U.P., Lucknow within three days.

9. Writ petition is according disposed of with the aforesaid directions.

(Indrajeet Shukla,J.) (Ajit Kumar,J.)

April 10, 2026
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