



2026:AHC-LKO:40334-DB

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

WRIT - C No. - 5093 of 2026

Rohit Kumar And Another

.....Petitioner(s)

Versus

State Of U.P. Thru. Collector/ District Magistrate
Lko. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Jiyaudeen
Counsel for Respondent(s)	:	C.S.C.

Court No. - 3

**HON'BLE JASPREET SINGH, J.
HON'BLE INDRAJEET SHUKLA, J.**

1. Heard learned counsel for the petitioners. Notice on behalf of the respondents No.1 and 2 has been accepted by the office of the Additional Chief Standing Counsel. Shri Manu Dixit, learned counsel has put in appearance on behalf of the respondent No.3.
2. The submission of the learned counsel for the petitioners is that there are certain outstanding disputes in pursuance of a loan taken by the petitioners from the respondent No.3.
3. It has further been submitted that thought the proceedings are pending before the Debts Recovery Tribunal concerned under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002. However, at this stage, the petitioners are ready to settle the matter with the respondent No.3.
4. It is submitted that the petitioners are facing difficulty on account of the fact that in terms of the order dated 25.07.2025, the possession of the security assets which is a residential house of the petitioners has been taken over by the respondent No.3 on 07.05.2026 and while doing so

though at the time of taking possession, the respondent No.3 was obligated to prefer and make an inventory of the goods lying there, but it was not done..

5. It is urged that the petitioners are out of possession, however, their important documents, perishable items, grains, medicines and other important articles are lying there. It is submitted that the petitioners may be permitted to take them and in the meantime an earnest endeavour would be made to get the issue resolve.

6. Shri Manu Dixit, learned counsel for the respondent No.3 has graciously submitted that as far as the inventory is concerned, the same can be prepared in the presence of the petitioners within such time to be fixed by this Court. In case, if the petitioners want to take away their important documents, perishable items, grains, medicines, the respondent No.3 has no objection. However, he submits that the OTS may be considered in a time bound manner and in case if the petitioners do not abide by it, the respondent No.3 may be permitted to proceed and the restoration of the possession should only be done after the OTS is finally accepted and abide.

7. In light of the aforesaid consensus which has been arrived at between the parties, this Court, at this stage, is of the opinion that no gainful purpose will be served in keeping the petition pending or calling for a counter affidavit, hence, the petition is **disposed of** in light of the consensus arrived at between the parties that the petitioners shall furnish a request for OTS, which shall be considered by the respondent No.3 and the same should be taken to its logical conclusion within three weeks from today. However, the possession of the property shall only be

restored to the petitioners once the OTS is finalized and entire amount is paid by the petitioners.

8. It is further provided that the petitioners shall make themselves available at the property in question on **09.06.2026 at 10:00 AM**. The Officials of the respondent No.3 shall also be present at the property in question at the appointed time and date in presence of whom the premises shall be unlocked and after preparing an inventory, the petitioners shall be entitled to take away their important documents, perishable items, medicines and such other like items. Thereafter, the respondent No.3 shall re-lock the premises and retain it with itself.

9. With the aforesaid observations, the petition is **disposed of**.

(Indrajeet Shukla,J.) (Jaspreet Singh,J.)

June 5, 2026

Rakesh/-