



HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 33209 of 2025

Mohd Ovais

.....Petitioner(s)

Versus

State Of U.P. And 4 Others

.....Respondent(s)

Counsel for Petitioner(s)	: Syed Ahmed Faizan, Syed Rafat Ali, Sr. Advocate
Counsel for Respondent(s)	: A.S.G.I., C.S.C., Saumitra Singh

Court No. - 3

**HON'BLE SAUMITRA DAYAL SINGH, J.
HON'BLE INDRAJEET SHUKLA, J.**

1. Heard Sri S.F.A. Naqvi learned Senior Advocate assisted by Sri Syed Rafat Ali learned counsel for the petitioner and Sri Arimardan Singh Rajpoot learned Standing Counsel for the State.

2. Submission is, though there is no real default in repayment of the loan and though equated monthly installments are being paid, for one technical breach which was cured by the petitioner, respondent No. 5 is continuing to harass the petitioner solely for reason of vested interest having intervened. He wants to deprive the petitioner of his valuable property.

3. Further it has been submitted that the account of the petitioner has not been declared 'NPA'. Reliance has been placed on a decision of the Supreme Court in **Manager ICICI Bank Ltd. Vs. Prakash Kaur and Others, AIR 2007 SC 1349.**

4. Presently, only to ascertain if the rule of law that binds and governs the society is being observed by respondent No. 5, petitioner is permitted to serve the said respondent through Dasti Summons by 10.10.2025. Steps be taken by 08.10.2025. Affidavit of compliance may be filed by 13.10.2025.

5. Put up as fresh on 15.10.2025.

6. Failing appearance by respondent No. 5, stay application may be considered on the next date.

(Indrajeet Shukla, J.) (Saumitra Dayal Singh, J.)

October 6, 2025

Faraz