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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CR No.1323 of 2015 (O&M)

Date of decision: March 19, 2015

Bipin Kumar Jain

.....Petitioner

Versus

Kewal Krishan Jain and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Surinder Sharma, Advocate
for the petitioner.

Mr. Bijender Kaushik, Advocate
for respondents No.1 to 4.

None for respondent No.5.

Mr. Atul, Advocate for
Mr. Deepak Gupta, Advocate
for the respondent No.6.

SABINA, J

Petitioner has filed this petition challenging the order dated 31.01.2015 (Annexure P-13), whereby objections filed by the petitioner against the auction, were rejected.

Petitioner had filed objections alleging that the sale of the disputed property was liable to be set aside as the market value of the property was ₹15,00,000/-, whereas it had been auctioned only for ₹12,00,000/-.

Learned counsel for the respondents No.1 to 4 as well as respondents No.6-auction purchaser have not opposed the petition and have submitted that the auction

proceedings be set aside.

Service of respondent No.5 is complete, but none had appeared on his behalf.

Accordingly, this petition is allowed. Impugned order dated 31.01.2015 is set aside. Consequently, auction money deposited by the auction purchaser-respondent No.6 be refunded to the said respondent. Executing Court is directed to conduct fresh auction proceedings in accordance with law.

**(SABINA)
JUDGE**

March 19, 2015
m.singh