

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

CWP-2320-2015

Date of decision:- 11.02.2015

M/s Rajshree Rice Mill and others

...Petitioners

Versus

State Bank of Patiala and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE S.J. VAZIFDAR, ACTING CHIEF JUSTICE**  
**HON'BLE MR. JUSTICE AMOL RATTAN SINGH**

Present: Mr. Sanjiv Gupta, Advocate,  
for the petitioners.

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**S.J. VAZIFDAR, A.C.J. (ORAL)**

The learned counsel appearing on behalf of the petitioners states that the respondent – bank has not complied with the provisions of Section 13(3A) of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002. He further states that the petitioners desire regularizing the account.

2. Even according to the petitioners, an amount of over ₹ 25 lacs would be due and payable by them to the respondent – bank as on 06.11.2014.

3. The auction is scheduled to be held on 16.02.2015. The petitioners have filed an S.A. before the Debts Recovery Tribunal. We are, however, informed that the Presiding Officer of the Debts Recovery Tribunal was not available earlier, but he is now available. In these circumstances, we intend entertaining this writ petition only to the extent of enabling the petitioners to make an application for interim relief in the pending S.A. before the Debts Recovery Tribunal which shall be decided on its own merits.

4. The writ petition is accordingly disposed of by directing that the auction may proceed, but the sale shall not be confirmed upto and including 28.02.2015 subject to the petitioners paying the respondent – bank a sum of ₹ 25 lacs on or before 20.02.2015. Any extension of this shall be applied for in the S.A. filed before the Debts Recovery Tribunal.

**(S.J. VAZIFDAR)**  
**ACTING CHIEF JUSTICE**

**(AMOL RATTAN SINGH)**  
**JUDGE**

**11.02.2015**  
Amodh