

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Civil Writ Petition No.26706 of 2014 (O&M)

DATE OF DECISION: 05.01.2015

Pushpinder Kaur

....Petitioner

versus

Punjab & Sind Bank and others

.....Respondents

**CORAM:- HON'BLE MR.JUSTICE S.J. VAZIFDAR, ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH**

Present: Mr. H.C. Arora, Advocate for the petitioner

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S.J. VAZIFDAR, ACTING CHIEF JUSTICE (Oral):

There is no warrant for interfering with the impugned order at least at this stage. The DRAT had on 11.7.2014 granted the petitioner time to place on record the documents in support of her submission that the auction conducted was of a different property. The petitioner was directed to move a formal application for the same. By the impugned order dated 17.11.2014, the DRAT noted that the applications were only for placing on record a CD lying with the DRT and for placing on record the auction report dated 13.1.2006. Learned counsel appearing on behalf of the petitioner also expressly stated before us that these documents were only to substantiate that an objection was taken before the auctioneer to the effect that the property sought to be auctioned was not mortgaged. The objection by itself

does not establish the petitioner's title. The DRAT, therefore, rightly declined to take the documents on record.

It is clarified, however, that this order will not preclude the petitioner from taking any steps or filing any application to establish her title in respect of her property or to show that her property is not liable to be auctioned in the proceedings. Needless to add that such an application would be decided on its own merits.

The petition is accordingly disposed of.

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

05.01.2015
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**(AUGUSTINE GEORGE MASIH)
JUDGE**