

CWP No.26781 of 2014

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.26781 of 2014

Date of Decision: January 12, 2015

Bhajan Kaur & another

...Petitioners

Versus

State Bank of Patiala & others

...Respondents

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

Present: Mr. Tejwinder Singh Hundal, Advocate
for the petitioners.

Mr. Umang K. Khosla, Advocate
for respondents Nos. 1 and 2.

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

Petitioner No.2 had submitted bid for the purchase of the properties secured by petitioner No.1 in favour of the first respondent. The first respondent, however, states that the auction has fallen through on account of petitioner No.1 having failed to pay the balance amount. It is not necessary for us to consider this aspect. Petitioner No.1 is ready and willing to pay the first respondent's dues subject to the first respondent first considering the application for OTS. Petitioner No.2 i.e. the bidder of the auction is willing to have the amounts deposited by him so far in the auction proceedings towards the petitioners' dues to the first respondent.

The first respondent shall consider the first petitioner's application for OTS, in accordance with its rules and policies. Till the first respondent does so and for a period of four week thereafter, the property shall

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not be auctioned. The rights of the parties are kept open. The merits have not been considered only with a view to enable the petitioners and the first respondent to sort out their dispute.

Accordingly, the writ petition is disposed of.

(S. J. VAZIFDAR)
ACTING CHIEF JUSTICE

(AUGUSTINE GEORGE MASIH)
JUDGE

January 12, 2015
Harish