

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 21399 of 2016
Date of decision: 18.10.2016

Dilbagh Singh and another

....Petitioners

Versus

State of Punjab and others.

..Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE RAMENDRA JAIN**

Present:- Mr. Lalit Pathak, Advocate for the petitioners.

Mr. Tajender Joshi, Advocate, for respondent Nos. 3 and 4.

AJAY KUMAR MITTAL, J. (ORAL)

1. Petitioner has approached this Court under Articles 226/227 of Constitution of India inter alia seeking a writ in the nature of Mandamus directing the respondents for not taking possession of the un-mortgage property on 13.10.2016, under the garb of demand notice dated 28.09.2013 under Securitization and Reconstruction of the Financial Assets and Enforcement of Security Interest Act, 2002 (Annexure P-1).

2. Notice of motion was issued. Learned counsel for respondent Nos. 3 and 4 has submitted that the possession of the mortgaged property which is described in clause xxi of Annexure P-1 at page 17 of the paper book shall alone be taken which is as under:-

“Equitable Mortgage of the double storey Residential & Commercial Building measuring approx 500 sq Yds. Comprising in Khewat No. 836, Khatauni No. 572, Min Kharasa No. 682/1/6/1 Min (O-17) at Patiala Gate Nabha

District Patiala comprising of 9 commercial shops and residential house on first floor in name of Shri Darshan Singh, S/o Thakur Singh R/o Bhai Khan Singh Street, Court Road Nabha, District Patiala through Shri Akashdeep Singh as GPA holder.”

3. In view of the above, learned counsel for the petitioners states that this writ petition has been rendered infructuous and be disposed of as such.

4. Ordered accordingly.

(AJAY KUMAR MITTAL)
JUDGE

(RAMENDRA JAIN)
JUDGE

18.10.2016
 jyoti iii

Whether Speaking/Reasoned	:	Yes/No.
Whether Reportable	:	Yes/No.