

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP-2342-2015

Date of decision: 23.09.2016

Bikramjit Singh

..... Petitioner

Versus

State Bank of Patiala and others

..... Respondents

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

PRESENT: Mr. Subhash Aggarwal, Advocate for the petitioner.

Mr. Vikas Chatrath, Advocate for respondents No. 1 and 2.

Mr. Rajinder Goyal, Addl. A.G., Punjab.

Mr. Rajbir Singh, Advocate for respondent No. 4.

AJAY KUMAR MITTAL, J. (ORAL)

1. The petitioner has approached this Court under Articles 226/227 of the Constitution of India, *inter alia* seeking a direction to respondents No. 1 and 2 to deliver the possession of residential house in dispute purchased by him in auction.

2. In terms of the order dated 21.09.2016, respondent No. 4- Surinder Singh S/o Nand Singh who was directed to be sent to judicial custody, has been produced in Court by Sh. Gurbinder Singh, Deputy Superintendent of Police (O), Police Station City, Barnala. It was stated by the learned State counsel that the possession of the premises in dispute has been handed over to the petitioner. However, the items belonging to

respondent No. 4 have been kept locked in two rooms of the aforesaid

premises. A copy of the inventory and the two DVDs of the videography done in terms of the aforesaid order regarding delivery of the possession have also been produced in Court, which are taken on record, subject to all just exceptions. Accordingly, respondent No. 4 is directed to be released forthwith from the Court itself and the DSP (O), Police Station City, Barnala shall inform to the Superintendent of the concerned jail about the release of respondent No. 4-Surinder Singh.

3. It was stated by learned counsel for the petitioner that the items of respondent No. 4 are lying in two rooms of the premises in dispute and prayed that appropriate orders be issued to respondent No. 4 to remove the said articles after his release.

4. It is directed that respondent No. 4 shall collect the said items from the premises by 11.00 A.M. tomorrow failing which the petitioner shall send the same to the concerned police station. No hindrance in the aforesaid process of removing the articles by respondent No. 4 shall be created by any party.

5. The writ petition stands disposed of, accordingly.

6. Copies of this order be given to the learned counsel for the parties under the signatures of the Bench Secretary.

(AJAY KUMAR MITTAL)
JUDGE

September 23, 2016
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No