

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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Civil Writ Petition No.26440 of 2015 (O&M)
Date of decision: August 09, 2016

Pankaj Goel

....Petitioner

versus

State Bank of India and others

...Respondents

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

Present: Mr. Saurabh Bajaj, Advocate for the petitioner.

Mr. Atul Mahajan, Advocate for respondent No.1-Bank.

AJAY KUMAR MITTAL, J. (Oral)

1. In the instant writ petition, the petitioner has prayed for issuance of a writ in the nature of certiorari for quashing the orders dated 17.04.2015 (Annexure P-17) and 08.10.2015 (Annexure P-18) whereby the Debts Recovery Tribunal-I, Chandigarh and the Debts Recovery Appellate Tribunal Delhi have not decided the contention of the petitioner-company regarding the illegal possession of the property which was never mortgaged. Further prayers have also been made to restrain the respondent-Bank from taking the possession of the land measuring 16 kanals 2 marlas purchased vide registered Sale Deed No.2566 dated 05.07.2000 (Annexure P-1) and also not to hand over the physical possession of the aforesaid land to M/s Shreenath Wood Industries (auction purchaser).

2. Learned counsel for respondent No.1-Bank states that as per instructions received from the Bank, the matter has been compromised between the parties whereby the petitioner has already paid the entire amount and the present writ petition has become infructuous and may be disposed of as such.

3. Learned counsel for the petitioner submitted that he has no instructions regarding the settlement arrived at between the parties and while disposing of the writ petition as infructuous, liberty be granted to the petitioner to apply for revival of the petition, in case something survives therein.

4. Disposed of as infructuous.

5. However, it shall be open to the petitioner to apply for revival of the petition, in case something survives therein.

(AJAY KUMAR MITTAL)
JUDGE

August 09, 2016
sonia gugnani

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned?

Yes/No

Whether reportable?

Yes/No