

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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**Civil Writ Petition No.4062 of 2015
Date of Decision:04.04.2016**

M/s Txlene Forge Pvt.Ltd.

....petitioner

Versus

Oriental Bank of Commerce and others

.....respondents

**CORAM: HON'BLE MR.JUSTICE S.J.VAZIFDAR, ACTING CHIEF JUSTICE
HON'BLE MR.JUSTICE ARUN PALLI**

Present: Mr.Anoop Verma, Advocate for
Mr.Paramdeep Singh, Advocate
for the petitioner

Mr.R.P.S.Ahluwalia, Advocate
for respondent No.1

Mr.Arshdeep Singh Arora, Advocate
for respondent No.2

Mr.Rajat Malhotra, Advocate and
Mr.Kirpal Singh, Advocate
for respondent No. 3

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

The petitioner apprehends that respondent No.3 would interfere with his possession of land admeasuring 1K-16M. The original owner owned 2K-16M land, of which 1K-16M was mortgaged in favour of respondent No.2-Punjab Financial Corporation and 1 Kanal was mortgaged in favour of respondent No.1-Oriental Bank of Commerce. Respondent No.2 in exercise of powers under the State Financial Corporation Act, 1951, brought to sale the land ad measuring 1K-16M. The petitioner purchased the same. 1 Kanal land was brought to sale by respondent No.1 in

execution of a recovery certificate issued under The Recovery of Debts Due to Banks and Financial Institutions Act, 1993. Respondent No.3 purchased this property ad measuring 1 Kanal. The confusion appears to have been on account of the Debt Recovery Tribunal, Chandigarh (for short 'DRT') having referred to the land ad measuring 1K-8M. This however was rectified by the order dated 19.09.2014 passed by the DRT itself. Moreover, respondent No.3 fairly agrees that he has no claim in respect of the land ad measuring 1K-16M purchased by the petitioner as aforesaid and in respect whereof the petitioner is in possession.

The writ petition is accordingly disposed of by accepting the above statement and confirming the position regarding the holding of the said land referred therein.

(S. J. VAZIFDAR)
ACTING CHIEF JUSTICE

(ARUN PALLI)
JUDGE

April 04, 2016
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