

In the High Court of Punjab and Haryana at Chandigarh

CWP No.921 of 2016

Date of decision: January 25, 2016

Major General Deepinder Singh

..... Petitioner

Versus

Deputy Commissioner, Gurgaon and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SURYA KANT

HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Vivek Sharma, Advocate for the petitioner.

SURYA KANT, J.

Notice of motion.

Ms. Kirti Singh, Deputy Advocate General, Haryana accepts notice on behalf of respondents No.1 and 3.

The contesting respondent-ICCI Bank is the Caveator.

Heard learned counsel for the parties.

The short grievance of the petitioner in this case is that the Deputy Commissioner, Gurgaon has permitted the residential property bearing No.1149, Sector 21, Gurgaon to be taken over in purported exercise of his powers under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest

not being supplied to the petitioner to avail his legal remedies.

It may be mentioned here that the afore-stated property, according to the respondent-Bank, is hypothecated with the Bank towards guarantee for the loan taken by M/s Tulip Telecom Limited.

Mr. Sandeep Suri, learned counsel for the Bank has handed over the photostat copy of order dated 17.11.2015 passed by the Deputy Commissioner-cum-Collector, Gurgaon under Section 14 of the Act to learned counsel for the petitioner in Court.

The instant writ petition is thus disposed of with liberty to the petitioner to treat the said order as the true copy of the original order and avail his legal remedy, if any, in accordance with law.

If the physical possession of the property has not been taken so far, let status quo re: possession be maintained for one week from today.

(SURYA KANT)
JUDGE

(HARINDER SINGH SIDHU)
JUDGE

January 25, 2016
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