

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.15200 of 2017.

Date of Decision: July 17, 2017

Punjab National Bank

.....Petitioner

versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDHIR MITTAL.

Present: Mr.Virender Sood, Advocate, for the petitioner.

Mr.Rajesh Bhardwaj, Senior, DAG, Punjab.

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Surya Kant, J. (Oral)

Notice of motion to respondent Nos.1 & 2 only at this stage.

On our asking, Mr.Rajesh Bhardwaj, learned Senior Deputy Advocate General, Punjab, accepts notice on their behalf.

Let two copies of the writ petition be supplied to him during the course of day failing which this order shall be automatically recalled and the writ petition shall be deemed to have been dismissed for non-prosecution.

In view of the nature of order which we propose to pass, it is not necessary to seek any counter-reply from respondent Nos.1 & 2 or to serve respondent Nos.3 to 5 at this stage as no final order on merits is passed against them.

[2] The grievance of the petitioner-bank is that it has moved an application under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 before the District Magistrate, Ludhiana, to issue an order of delivery of possession of secured assets. The said application was filed on 24.02.2016. However, after

adjourning it almost 20 times, no final order has been passed thereupon by

the Deputy Commissioner-cum-District Magistrate, Ludhiana. It is averred that the very purpose of speedy disposal contemplated under the 2002 Act has been frustrated.

[3] Having heard learned counsel for the parties and considering the nature of relief sought in this writ petition, however without expressing any views on merits, the instant writ petition is disposed of with a direction to respondent No.2-District Magistrate, Ludhiana, to decide the application moved by the petitioner-bank under Section 14 of 2002 Act, within one month from the date of receiving a certified copy of this order.

[4] Ordered accordingly.

[5] Dasti.

[SURYA KANT]
JUDGE

July 17, 2017
mohinder

[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No