

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.18454 of 2017 (O&M)

Date of Decision:- 7.9.2017

India Infoline Housing Finance Limited

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: Hon'ble Mr. Justice Rajesh Bindal
Hon'ble Mr. Justice Gurminder Singh Gill

Present: Mr. Naveen Shrama, Advocate for the petitioner.

Mr. P.S. Bajwa, Addl.A.G., Punjab.

Rajesh Bindal, J.

Ravinder Kumar Bansal, Tehsildar, Fatehgarh Sahib and Nirpaul Singh, Naib Tehsildar, Mandi Gobindgarh, Tehsil Amloh, District Fatehgarh Sahib are present in person in Court. Reply by way of affidavit of Ravinder Kumar Bansal, Tehsildar, Fatehgarh Sahib-respondent No.3 and affidavit of Nirpaul Singh, Naib Tehsildar, Mandi Gobindgarh, Tehsil Amloh, District Fatehgarh Sahib-respondent No.4 filed in Court, are taken on record.

Learned counsel for the respondents submitted that respondent No.3 could not take appropriate steps to get the possession of the properties delivered to the petitioner as correct description of the properties was not mentioned in the application filed by the petitioner. In case the correct description with location of the properties is identified, the possession shall

be got delivered to the petitioner without any delay. This is pertaining to the properties located in the jurisdiction of Tehsildar, Fatehgarh Sahib.

As regards the properties located in the jurisdiction of Tehsildar, Mandi Gobindgarh, along with reply filed today, order passed by the Civil Court at Amloh has been annexed, where in the suit filed by one Sukhwinder Singh against respondents No.7 and 8, namely Ramesh Kumar Bansal and Kiran Bala, stay of dispossession has been granted on 27.8.2015, which is still continuing.

As the petitioner has not been impleaded as party in the civil suit pending before the Court at Amloh, though it is claimed that the properties were mortgaged to the petitioner, the petitioner shall be at liberty to file appropriate application for being impleaded as party to the litigation and raise all pleas available to it.

With the aforesaid observation, the present petition is disposed of.

(Rajesh Bindal)
Judge

(Gurvinder Singh Gill)
Judge

September 7, 2017
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