

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

CWP-Com No. 168 of 2017 (O&M)
Date of decision : July 11, 2017

Punjab and Sind Bank

..... Petitioner

v.

District Magistrate-cum-Deputy Commissioner, Ludhiana and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Aayush Gupta, Advocate
for the petitioner.

Mr. HS Sitta, AAG Punjab

Mr. Parveen Sain, Advocate
for respondent No.4.

Mr. Anand Chhibbar, Sr. Advocate with
Mr. Vaibhav Sahni, Advocate
for the applicants.

Ajay Tewari, J (Oral)

C.M No.82-Com of 2017 has been filed for impleading the applicants as respondents No.7 to 12. The applicants claim that they are tenants in the property and have their interest in the same.

Counsel for the petitioner has argued that the main writ petition has been filed against the in-action of respondents No.1 and 2 because the application under Section 14 of the SARFAESI Act filed by the petitioner was marked by respondent No.1 to respondent No.2 and the same has been pending for six months. As per him, the owner as well as the applicants-

tenants are welcome to present their version before respondent No.1 but respondent No.1 cannot keep sitting on the application inadvertently.

In view of this fair stand of counsel for the petitioner, counsel for the respondents, as well as counsel for the applicants state that they have no objection if a direction is issued to respondent No.1 to take up the application filed by the petitioner and decide it expeditiously. In the circumstances, this writ petition is disposed of with a direction to respondent No.1 to decide the application filed by the petitioner after considering the objections filed by the other parties. Necessary order be passed within a period of one month from the receipt of a certified copy of this order, in view of the long pendency of the matter.

Since the main case has been decided, the pending C.Ms, if any, also stand disposed of.

July 11, 2017
'kk'

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No