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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CWP (Comm.) No.207 of 2017  
Date of Decision : 03.07.2017

Sh. Chaman Lal Bhatia and others

..... Petitioners

Versus

Bank of Baroda and another

..... Respondents

**CORAM : HON'BLE MR.JUSTICE AJAY TEWARI**

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Present : Mr. K.P.S. Dhillon, Advocate  
for the petitioners.

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**AJAY TEWARI, J. (Oral)**

By this petition the petitioner has challenged the possession notice dated 26.05.2017.

This petition has been filed by the employees of the respondent No.2 which had obtained certain credits from the respondent No.1-Bank and on account of non-payment thereof the Bank proceeded to act under The Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (*hereinafter referred to as the Act*) and took over the possession of the mortgaged property. The claim in the present petition is that the Bank should be mandated under Section 13 (4)(b) of the Act to appoint Manager and run the Unit at least till such time as it is not able to sell the same so that the livelihood of the petitioners is not adversely

affected.

In my opinion, no such right inheres in the petitioners. By way of illustration, if the respondent No.2 sold the Unit to a third person no petition could be maintainable at the instance of the petitioners to protect their livelihood. Whatever claim the petitioners may have against the respondent No.2 can always be enforced by law through other proceedings.

Consequently, the present petition is dismissed as not maintainable.

Since the main case has been decided, the pending Civil Misc. Application, if any, also stands disposed of.

July 03, 2017  
*ashish*

( AJAY TEWARI )  
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No