

V.Vishal
2018-05-01 15:45

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

**CWP No.14663 of 2018
Date of Decision: 31.05.2018**

Gian Jain

...Petitioner

VS.

Allahabad Bank

... Respondent

**Coram : Hon'ble Mr.Justice Surya Kant
Hon'ble Mr.Justice Shekher Dhawan**

Present: Mr. NK Verma, Advocate for the petitioner

SURYA KANT J. (Oral)

(1) The petitioner is the auction purchaser of the property measuring 1000 sq.yards bearing MC No.B-30-5349/E-688, Plot No.E-688 situated at Ph-VIII, Focal Point, Ludhiana. The property was statedly purchased in e-auction held on 02.05.2018 conducted by the Bank under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002. The grievance of the petitioner is that the possession of the property is not being given to him due to some pending civil litigation, the details whereof were never disclosed at the time of e-auction. Due to this reason, the petitioner has also not deposited balance sale amount.

(2) Be that as it may, the Bank is obligated to take some decision in respect of the above-mentioned allegation of the petitioner. We find from the record that the petitioner has already approached the authorities vide representation dated 10.05.2018 & 16.08.2018 (P5 & P6).

(3) The writ petition is thus disposed of without expressing any views on merits with a direction to the respondent-Bank to take a decision with regard to the above-mentioned claim of the petitioner or for the refund of amount deposited by him, within three weeks from the date of receipt of certified copy of this order.

**(Surya Kant)
Judge**

31.05.2018

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**(Shekher Dhawan)
Judge**

1. Whether speaking/reasoned?
2. Whether reportable?

**Yes
No**