

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

CWP No.14678 of 2018  
Date of Decision : 04.12.2018

M/s Shiva Cold Storage

..... Petitioner

versus

Deputy Commissioner, Abohar and others

..... Respondents

\* \* \*

**CORAM : HON'BLE MR. JUSTICE AJAY KUMAR MITTAL  
HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present : Mr. Vivek Goyal, Advocate  
for the petitioner.

Ms. Ishneet Kaur, AAG, Punjab.

Mr. Ajit Singh Sodhi, Advocate  
for respondents No.2 and 3.

\* \* \*

**AJAY KUMAR MITTAL, J. (ORAL)**

1. The instant writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of writ in the nature of Certiorari for quashing the notice dated 13.04.2017 (Annexure P-6) issued under Sections 13(2) of the SARFAESI Act (hereinafter referred as 'the Act').

2. After arguing for some time, learned counsel for the petitioner submitted that he may be permitted to file a detailed and comprehensive representation to the respondent-Bank raising all the pleas as sought to be raised in the present petition. He further prayed that a direction be issued to the respondent-Bank to decide the same in a time bound manner.

3. Accordingly, after hearing learned counsel for the petitioner and without going into the merits of the controversy, we dispose of the

present writ petition by permitting the petitioner to file a detailed and comprehensive representation to the respondent-Bank within 15 days. It is however directed that in case such a representation is filed, respondent No.2 shall decide the same within a period of one month from the date of its receipt, by passing a speaking order and after affording an opportunity of hearing to the petitioner.

(AJAY KUMAR MITTAL)  
JUDGE

(MANJARI NEHRU KAUL)  
JUDGE

December 04, 2018  
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| Whether speaking/reasoned? | Yes/No |
| Whether reportable?        | Yes/No |