

CWP No. 18736 of 2018
DECIDED ON: OCTOBER 16, 2018

....PETITIONER

**DISTRICT MAGISTRATE -CUM- DEPUTY COMMISSIONER,
FATEHGARH SAHIB & OTHERS.**

.....RESPONDENTS

**CORAM : HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE AVNEESH JHINGAN**

Present : Ms. Puja Chopra, Advocate
for the petitioner.

Mr. Mehardeep Singh, Addl. AG, Punjab.

Mr. Vishal Gupta, Advocate
for respondents No.4 to 6.

Mr. Avnish Mittal, Advocate
for respondent No.7.

AVNEESH JHINGAN, J

The present writ petition has been filed seeking directions to respondents No.1 and 2 to take appropriate legal action under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of

Security Interest Act, 2002 (for brevity 'the Act') and to take over the physical possession of the mortgaged property in compliance of order dated 23.04.2018 (P-4), passed by District Magistrate-cum-Deputy Commissioner, Fatehgarh Sahib.

2. The physical possession could not be taken over, in view of the stay granted by the Civil Court in a suit for permanent injunction filed by the alleged tenant (i.e. respondent No.7).

3. During the pendency of instant writ petition, learned counsel appearing for respondents No.4 to 6 and 7 stated that physical possession of the mortgaged house has been delivered to respondents No.4 to 6.

4. In view of the aforesaid statement and the order passed today in CWP No. 17938 of 2018, instant petition has been rendered infructuous.

5. Dismissed as infructuous.

(AJAY KUMAR MITTAL)
JUDGE

(AVNEESH JHINGAN)
JUDGE

OCTOBER 16, 2018
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<i>Whether speaking/reasoned:</i>	<i>Yes / No</i>
<i>Whether reportable :</i>	<i>Yes / No</i>