

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Misc. No.4649 of 2018 in/and
Civil Writ Petition No.26459 of 2017(O&M)
Date of Decision: May 17, 2018

India Infoline Finance Limited

.....Petitioner

versus

District Magistrate-cum-Deputy Commissioner, Ludhiana and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE SHEKHER DHAWAN.**

Present: Mr.Vineet Sehgal, Advocate, for the petitioner.
Mr.Rajesh Bhardwaj, Senior DAG, Punjab.

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Surya Kant, J. (Oral)

The learned State counsel has handed-over photocopy of the order dated 12.05.2017 passed by Civil Judge (Junior Division), Ludhiana in a Civil Suit titled as “**Omni Wheels Pvt. Ltd. Versus Pardeep Kumar and others**” whereby the defendants in the civil suit have been restrained from interfering in the peaceful possession of the plaintiff. It is stated that due to the said injunction order, physical possession of the 'secured assets' has not been handed-over to the petitioner-Financial Institution.

Since there is a legal impediment, the writ petition is disposed of with liberty to the petitioner to immediately move applications before the Civil Court; (i) for its impleadment as a party-defendant, (ii) for vacation of injunction order and/or (iii) for rejection of the plaint. The Civil Court at Ludhiana, before whom the above-stated civil suit is pending, is directed to decide these applications in accordance with law, within a period not

exceeding two months from the date of filing and if need be, the matter

shall be taken up on every alternative day. The further consequences will follow as per the Civil Court order(s).

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

May 17, 2018
mohinder

[SHEKHER DHAWAN]
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No