

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.26948 of 2017

Date of Decision: January 29, 2018

Mahinder Singh Nehra

.....Petitioner

versus

Oriental Bank of Commerce, Jhajjar Branch and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SHEKHER DHAWAN.

Present: Mr.Sumit Bajaj, Advocate, for the petitioners.

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Surya Kant, J. (Oral)

The secured assets comprising agricultural land of the petitioner were sold by the respondent-bank on 21.06.2017. The sale has since been confirmed and possession has been given to the auction purchaser. The petitioner-borrower now questions the said sale on the ground that (i) the mortgaged property was ancestral property and could not have been auctioned, and (ii) it has been sold at a very less price as compared to its actual market value.

It is also contended that the petitioner is ready and willing to pay the entire loan amount alongwith interest.

In our considered view, all these pleas can be effectively taken by the petitioner before the Debts Recovery Tribunal who in turn is directed to determine these questions, provided that the petitioner approaches the Tribunal within two weeks from today.

With liberty aforementioned, the writ petition is disposed of.

(SURYA KANT)
JUDGE

January 29, 2018

mohinder

(SHEKHER DHAWAN)

JUDGE

Whether speaking/reasoned

:

Yes/No

Whether Reportable

:

Yes/No