

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

CWP No.27745 of 2018
Decided on : 22.11.2018

State Bank of India

..... Petitioner

Versus

State of Punjab & ors.

..... Respondents

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

Present : Mr. Vikas Chatrath, Advocate
for the petitioner.

Mr. Pankaj Gupta, Addl. AG, Punjab.

Ajay Kumar Mittal, J.

Petitioner has approached this Court under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing respondent No.2 to allow the application dated 19.06.2014 (Annexure P-5) filed by the petitioner under Section 14 of Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (in short 'Act').

2. On 30.10.2018, it was urged that respondent No.2 had orally communicated that the petition has been dismissed but no written order was supplied to the petitioner . Accordingly, notice of motion was issued to respondents No.1 and 2 for today i.e. 22.11.2018.

3. Learned State counsel has put in appearance and produced the copy of the order dated 04.09.2018 passed by Addl. Deputy Commissioner (General)-cum-Addl. District Magistrate, Kapurthala. The same is taken on record. Office to tag the same at appropriate place. Copy of the same has also been given to the counsel opposite.

4. It has been pointed out by the State counsel that the application under Section 14 of the Act for taking physical possession of the properties mortgaged in the account of M/s Ikaum Impex has been declined.

5. In view of the above, the present petition is disposed of with liberty to the petitioner to challenge the order dated 04.09.2018 passed by Addl. District Magistrate, Kapurthala in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

(MANJARI NEHRU KAUL)
JUDGE

22.11.2018
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Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No