

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.318 of 2018.

Date of Decision: January 11, 2018

AU Small Finance Bank Limited

.....Petitioner

versus

District Magistrate, Jhajjar and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SHEKHER DHAWAN.

Present: Mr.Sandeep Suri, Advocate, for the petitioner.

Mr.Ankur Mittal, Additional AG, Haryana, for respondent No.1.

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Surya Kant, J. (Oral)

Notice of motion to respondent No.1 only at this stage.

On our asking, Mr.Ankur Mittal, learned Additional Advocate General, Haryana, accepts notice on his behalf.

Let two copies of the writ petition be handed-over to him during the course of day failing which this order shall be automatically recalled and the writ petition shall be deemed to have been dismissed for non-prosecution.

In view of the nature of order which we propose to pass, it is not necessary to seek any counter-reply from respondent No.1 or to serve respondent Nos.2 to 7 at this stage as no order on merits prejudicial to their interest is being passed.

The petitioner is a Scheduled Bank duly incorporated and registered under the Indian Companies Act, 1956. It has advanced loan to the private-respondents and due to non-payment of due installments, the loan accounts are said to have been classified as NPA. Consequently, action

Assets and Enforcement of Security Interest Act, 2002 was taken by the petitioner-bank, followed by an application under Section 14 of the 2002 Act requesting the District Magistrate, Jhajjar to assist it in taking possession of the secured assets. The short grievance of the petitioner in the instant writ petition is that its application under Section 14 of the 2002 Act which is pending before the District Magistrate, Jhajjar since 10.10.2017, is being unnecessarily adjourned from time to time.

We find merit in the submission as the application appears to have been adjourned on more than five occasions. In this view of the matter and without expressing any views on merits, the writ petition is disposed of with a direction to the District Magistrate, Jhajjar to pass an appropriate order in accordance with law on the application moved by the petitioner under Section 14 of the 2002 Act, positively before 31.01.2018.

Dasti.

(SURYA KANT)
JUDGE

January 11, 2018
mohinder

(SHEKHER DHAWAN)
JUDGE

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