

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-9113-2018

Date of Decision: May 24, 2018

Arjan Mahajan

.....Petitioner

Versus

State Bank of India and another

.....Respondents

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

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|----|---|---------|
| 1. | To be referred to the Reporters or not? | Yes/No |
| 2. | Whether the judgment should be reported in the Digest? | Yes/No. |
| 3. | Whether Reporters of local papers may be allowed to see the judgment? | Yes/No |

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Present: None for the petitioner.

Mr.Anandeshwar Gautam, Advocate for the Bank.

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SURYA KANT, J.

The petitioner has approached this Court seeking a restraint order against the respondent-Bank from auctioning the mortgaged property comprising a shop, fully described in the head-note of the writ petition. A specific stand was taken before this Court on 17.04.2018 that the petitioner is willing to pay the balance loan amount within a reasonable period. Consequently, status quo re: physical possession was directed to be maintained subject to petitioner's depositing a sum of ₹3.00 lac within three weeks.

[2] Counsel for the Bank informs that the above-stated order has not been complied with. He further points out that the cause of action arose

to the petitioner within the territory of Himachal Pradesh.

[3] There appears to be some merit in the contention of learned counsel for the respondent-Bank. Be that as it may, since the petitioner has not complied with the order dated 17.04.2018, the writ petition is dismissed with liberty to the petitioner to approach the appropriate alternative Forum.

**(SURYA KANT)
JUDGE**

May 24, 2018
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**(SHEKHER DHAWAN)
JUDGE**

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| 1. Whether speaking/reasoned ? | Yes |
| 2. Whether reportable ? | No |