

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

CWP No.40586 of 2018
Date of Decision: 28.12.2018

AGGARWAL BANQUET AND RESORTS

....Petitioner

Versus

STATE BANK OF INDIA AND ORS

....Respondents

**CORAM:HON'BLE MR. JUSTICE ARUN MONGA
HON'BLE MR. JUSTICE LALIT BATRA**

Present: Mr. K.K. Goel, Advocate
for the petitioner.

ARUN MONGA, J.(Oral)

The present writ petition has been filed under Article 226/227 of the Constitution of India, inter alia, for issuance of a writ in the nature of certiorari for quashing of the order dated 05.11.2018 (Annexure P-1) and all subsequent proceedings arising therefrom.

Vide Annexure P-1 the property of the petitioner, who is a lessee has been sealed under SARFAESI Act, 2002. Learned counsel for the petitioner states that the petitioner had taken three banquet halls namely, "Saffron", "Utsav" and "Mahima" under registered lease from the debtor-respondent No.4. The said property has been sealed pursuant to the recovery of the loan amount taken by the lesser-company from its banker. Learned counsel further submits that he has booked as many as 37 marriage functions starting from 15.01.2019 upto 28.03.2019 prior to the sealing of the leased property by the

District Magistrate. He contends that general public will be put to lot of inconvenience and he is willing to deposit the entire receipts of all the 37 bookings as per Annexure P-6 with the bank. Contends that in view thereof, the petitioner had also caused a legal notice dated 20.12.2018 (Annexure P-7) to the Bank as also to the District Magistrate but the same has not been adverted to.

Keeping in view the contentions of learned counsel for the petitioner as noted above, the present writ petition is disposed of with a direction to respondent No.1 to take a decision on the legal notice (Annexure P-7) within a period of 15 days in accordance with law.

[ARUN MONGA]
JUDGE

[LALIT BATRA]
JUDGE

December 28, 2018
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Whether speaking/reasoned	yes/no
Whether reportable?	yes/no