

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

**CWP No. 2931 of 2019
Decided on : 25.03.2019**

Savita Devi

... Petitioner(s)

Versus

Union Bank of India and others

... Respondent(s)

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

PRESENT: Mr. Aalok Jagga, Advocate
for the petitioner(s).

Mr. Shailender Kashyap, Advocate
for respondent No.1 - Bank.

AJAY KUMAR MITTAL, J. (Oral)

Petitioner has approached this Court under Articles 226/227 of the Constitution of India, seeking quashing of the notice dated 16th September, 2015 (Annexure P-6), whereby, respondent No.2 had ordered to take the physical possession of the secured assessed i.e. House No. 2563, Sector 16, Faridabad, which was owned by the deceased husband of the petitioner and the respondent Bank had already taken the part possession on 17th January, 2019. A further prayer for restraining the respondents from taking the physical possession of the aforesaid residential house, has also been made.

2. Learned counsel for the petitioner has produced a photocopy of the 'Settlement Certificate' dated 18th March, 2019, in Court today and submitted that under the One Time Compromise Settlement, the respondent-Bank had settled the loan accounts for ₹ 25,25,95,340/-. A photocopy of the Demand Draft, which was deposited with the respondent Bank at the time of settlement, bearing No. "514053", dated 18th March, 2019, for a sum of ₹ 25,31,65,727/-, including the interest for the delayed period, has also been produced in Court. Both the

record, subject to all just exceptions.

3. In view of the above, it was submitted by the learned counsel for the parties that the present writ petition has been rendered infructuous and may be disposed of as such.

4. Ordered accordingly.

5. Learned counsel for the petitioner further submitted that the Fixed Deposit Receipt (FDR) amounting to ₹ 50.00 lakhs, in terms of order dated 01st February, 2019, is lying deposited with the Registrar (Judicial) of this Court, the same may be returned to the petitioner.

6. Registrar (Judicial) of this Court is directed to return the said FDR to the learned counsel for the petitioner against proper receipt.

(AJAY KUMAR MITTAL)
JUDGE

(MANJARI NEHRU KAUL)
JUDGE

March 25, 2019

J.Ram

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