

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

CWP-10101-2019

Date of Decision: 02.12.2019

STATE BANK OF INDIA

..... *Petitioner*

V/s.

STATE OF PUNJAB AND OTHERS

.....*Respondents*

CORAM: **HON'BLE MR. JUSTICE RAKESH KUMAR JAIN.**
 HON'BLE MR. JUSTICE ASHOK KUMAR VERMA.

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

Mr. Shreesh Gupta, Sr. DAG, Punjab.

RAKESH KUMAR JAIN, J. (Oral)

The petitioner has prayed for the issuance of a writ in the nature of *mandamus* to direct the official respondents to take possession of the mortgaged property and hand over the same to the petitioner.

Counsel for the respondents has submitted that after the order has been passed by the District Magistrate, Barnala, on 22.02.2017, various efforts have been made to deliver the possession of the secured asset to the respondent-Bank but no official of the Bank has ever reached the spot to take the actual physical possession of the secured asset.

Although this contention of counsel for the State is denied by the counsel for the petitioner but we are of the considered opinion that the present writ petition can still be disposed of with a direction to the official respondents to hand over the actual possession of the property in question to

the respondent-Bank and can further direct the official of the Bank to remain present at that time.

Accordingly, the present writ petition is hereby disposed of with a direction to the official respondents to hand over the physical possession of the property in question to the respondent-Bank on 12.12.2019, in the presence of their official.

Copy of the order *dasti*.

(RAKESH KUMAR JAIN)
JUDGE

December 02, 2019

Sonia Puri

(ASHOK KUMAR VERMA)
JUDGE