

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

**CWP No. 17139 of 2018 (O&M)
Decided on : 18.03.2019**

Satish Kumar and another

... Petitioner(s)

Versus

State Bank of India and another

... Respondent(s)

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

PRESENT: Ms. Jaspreet Kaur, Advocate for
Mr. Nakul Sharma, Advocate
for the petitioner(s) (in CWP No.17139 of 2018).

Mr. Umesh Sharma, Advocate for
Mr. R.S. Rana, Advocate
for the petitioner(s) (in CWP No. 22350 of 2018).

Mr. Gaurav Goel, Advocate and
Mr. Pardeep Sharma, Advocate
for respondent No.1.

AJAY KUMAR MITTAL, J. (Oral)

This order shall dispose of CWP Nos. 17139 & 22350 of 2018, as according to learned counsel for the parties, the issue involved therein is identical. However, the facts are being extracted from CWP No. 17139 of 2018.

2. The petitioners have approached this Court under Articles 226/227 of the Constitution of India, seeking writ of *Mandamus*, for directing respondent No.1 not to put property bearing shops/office spaces situated in Gobindgarh City Centre at NH-1, Mandi Gobindgarh on auction on 16.07.2018, the petitioners have spent their whole life savings/earnings and also purchased three shops/offices space bearing No.112-113-114, covered area 1893 sq. ft. from respondent No.2. It is also stated therein that the complete payment of ₹ 72.00 lakhs has also been made by the petitioners to respondent No.2. Further, petitioners have prayed that the auction proceedings of the aforesaid three shops/offices be stayed during the pendency of the present writ petition.

3. At the outset, learned counsel for respondent No.1-Bank has produced in Court, copies of the communications dated 01st March, 2019, as well as the compromise settlement dated 02nd March, 2019, addressed to M/s MG Gold Realtors (P) Ltd.-respondent No.2, the principal borrower, intimating that its offer for settlement of Bank's dues has been accepted by the respondent-Bank. The copies of aforesaid communication as well as the compromise settlement are taken on record, subject to all just exceptions.

4. In view of the above, it was submitted by learned counsel for respondent No.1 – Bank that the present writ petition(s) has been rendered infructuous and the same may be disposed of as such. However, it was prayed that liberty may be granted to the petitioner(s) to apply for revival of petition(s) in case something survives therein.

5. Ordered accordingly.

(AJAY KUMAR MITTAL)
JUDGE

**(MANJARI NEHRU
KAUL)**
JUDGE

March 18, 2019
J.Ram

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