

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

CWP-24337-2018 (O&M)
Decided on : 14.01.2019

The Jammu & Kashmir Bank Ltd.

..... Petitioner

Versus

State of Punjab & ors.

..... Respondents

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

Present : Mr. Rishabh Gupta, Advocate
for the applicant.

Mr. Aalok Jagga, Advocate
for the petitioner.

Mr. Pankaj Gupta, Addl. AG, Punjab.

Ajay Kumar Mittal, J.

CM-454-2019

This is an application under Order 1 Rule 10 read with Section 151 CPC for impleading the applicant as respondent No.6.

After hearing learned counsel for the applicant, we find that the applicant is not a necessary party to be impleaded as party respondent.

Accordingly, the application is dismissed.

CWP-24337-2018

Prayer in the instant writ petition filed under Articles 226/227 of Constitution of India is for issuance of writ in the nature of mandamus directing respondents No.2 to 4 to take physical possession of the mortgaged properties of respondent No.5.

2. Vide order dated 18.12.2018 passed by this Court, respondents No.1 to 4 were directed to ensure that order dated 06.02.2015 passed by District Magistrate, Bathinda was complied with and compliance report

submitted to this Court.

3. In pursuance to the aforesaid order, learned counsel for the State has filed the compliance report by way of affidavit of Surinder Pal Singla, Naib Tehsildar, Talwandi Sabo - respondent No.4 in Court today, which is taken on record. Learned State counsel has referred to Annexure R/4-B (page 11) of the reply, which has been jointly signed by the borrower and the authorised officer of the petitioner-bank and submitted that the borrower has offered a settlement to the petitioner-bank and the bank has agreed to consider the same. Accordingly, prayer was made to Deputy Commissioner, Bathinda to defer the proceedings of taking over the possession till 31.07.2019.

4. In view of the above, no further order is called for at this stage. Accordingly, the present petition is disposed of. However, it shall be open to the petitioner either to approach the Deputy Commissioner, Bathinda or to move an application before this Court for revival of the case after 31.07.2019 in case something survive in the case.

(AJAY KUMAR MITTAL)
JUDGE

14.01.2019
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No