

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

**CWP No.29844 of 2018
Date of decision :4.2.2019**

Canara Bank

.....Petitioner

Versus

State of Haryana and others

..... Respondents

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

Present: Mr.Brijesh Sharma, Advocate for the petitioner.
Mr.Ayuwan Singh, AAG, Haryana.
Mr.A.S.Barnala, Advocate for respondent No.9.

AJAY KUMAR MITTAL, J.

1. The petitioner has approached this Court under Articles 226/227 of the Constitution of India for issuing direction to respondent Nos.1 to 4 to provide assistance to the Authorized Officer for taking the physical possession of the secured assets as per the provisions of Securitization & Reconstruction of Financial Assets & Enforcement of Security Act, 2002.

2. Learned counsel for the petitioner submitted that the loan account was declared NPA on 9.7.2016 as the borrower failed to maintain the financial discipline and as on date, more than ₹2 crores is outstanding against respondent Nos.7 to 10.

3. Mr.A.S.Barnala, learned counsel for respondent No.9 has neither filed the reply nor submitted any proposal along with the requisite draft to show the bonafides of the respondents for discharging the liability.

4. After hearing learned counsel for the parties and perusing the writ petition, we dispose of the writ petition with the direction to respondent No.4-Tehsildar-cum-Executive Magistrate, Panipat to take physical possession of the secured assets within three days in terms of the orders passed by the District Magistrate, Panipat on 20.4.2018, Annexure P.2 and deliver it to the petitioner. Compliance report of the present order be sent to this Court immediately thereafter.

(AJAY KUMAR MITTAL)
JUDGE

February 4, 2019
KD

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking / reasoned:
Whether Reportable:

Yes / No
Yes / No