

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

CWP-31051-2018 (O&M)
Decided on : 22.01.2019

Allahabad Bank

..... Petitioner

Versus

State of Punjab & ors.

..... Respondents

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

Present : Mr. Vikas Chatrath, Advocate and
Mr. Anureet Budwal, Advocate
for the petitioner.

Mr. Pankaj Gupta, Addl. AG, Punjab.

Mr. D.K.Gupta, Advocate for
Mr. I.S.Ratta, Advocate
for respondents No.4 to 6.

Ajay Kumar Mittal, J.

Prayer in the instant writ petition filed under Articles 226/227 of Constitution of India is inter alia for issuance of a writ in the nature of certiorari for quashing the impugned order dated 25.10.2018 (Annexure P-6) passed by respondent No.3.

2. Learned State counsel submitted that impugned order (Annexure P-6) does not conform to legal parameters and the same is contradictory to the record as per documents attached alongwith the writ petition. Therefore, learned counsel for the State has very fairly stated that order dated 25.10.2018 (Annexure P-6) may be treated as withdrawn. However, a prayer was made that direction be issued to Addl. District Magistrate (exercising the powers of Deputy Commissioner-cum-Collector) to pass the fresh order in accordance with law within a period of three weeks.

3. Accordingly, the impugned order dated 25.10.2018 (Annexure P-6) is set aside. The Deputy Commissioner-cum-Collector shall pass a fresh order in accordance with law in case any fresh application is moved by the petitioner under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 within a period of three weeks from the date of receipt of the said application.

(AJAY KUMAR MITTAL)
JUDGE

22.01.2019
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No