

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

1.

CWP-28750-2019
Date of Decision:06.11.2019

M/s S. S. Overseas and others

. Petitioners

Vs.

Punjab National Bank

. Respondent

2.

CWP-28786-2019

M/s S.S. Timber Trades and others

. Petitioners

Vs.

Punjab National Bank

. Respondent

3.

CWP-28787-2019

M/s S. S. Agro and others

. Petitioners

Vs.

Punjab National Bank

. Respondent

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN
HON'BLE MR.JUSTICE SUVIR SEHGAL

Present: - Ms.Bhagyashri Setia, Advocate,
for the petitioners.

Mr.Gaurav Goel, Advocate,
for the respondent.

RAKESH KUMAR JAIN, J. (ORAL)

This order shall dispose of 3 petitions bearing CWP Nos.28750,
28786 and 28787 of 2019. However, for the sake of convenience
CWP-28750-2019 is taken as a lead case in which following order was
passed on 03.10.2019: -

“The Borrower and the Guarantor of a defaulted loan amount have challenged the Sale Notice dated 09.09.2019 (P-4) being in violation of the Rule 8(6) read with Rule 9 of the SARFAESI Rules , in as much as the secured assets have been put up for auction on 07.10.2019 before the expiry of 30 days of service of notice (Annexure P-4) upon the borrower/guarantor.

Learned Counsel in support of the aforesaid contentions has cited judgment of the Hon'ble Supreme Court in Mathew Varghese Vs. M. Amritha Kumar 2014(5) SCC 610.

Notice of motion for 06.11.2019.

At this stage, Mr. Gaurav Goel, Standing Counsel for PNB has put in appearance on behalf of the respondent-bank and accepts notice.

The auction proceedings shall not be confirmed without prior approval of this Court.”

Counsel for the respondent has submitted that so far the auction has not been conducted and in case of a fresh auction, advance notice shall be given to the petitioners. This statement satisfies the counsel for the petitioners.

Thus, all the three petitions have become infructuous.

Dismissed as infructuous.

A photocopy of this order be placed on the file of connected case.

(RAKESH KUMAR JAIN)
JUDGE

(SUVIR SEHGAL)
JUDGE

06.11.2019
Vivek

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