

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

CWP No.32412 of 2019

Date of Decision: November 07, 2019

Subhash Chand Sharma

...Petitioner

VERSUS

State Bank of India and other

...Respondents

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

Present: Mr.Rajesh K. Kataria, Advocate
for the petitioner.

RAKESH KUMAR JAIN, J.

Counsel for the petitioner has made a prayer for issuance of a writ in the nature of mandamus to direct respondent No.1 to release title deeds of the property in favour of respondents No.2 and 3, who are prospective buyers after receiving full and final amount under the OTS Scheme, 2019.

During the course of hearing, counsel for the petitioner submitted that besides the petitioner, there are other owners of the mortgaged property also, who have not entered into any kind of agreement of sale with the prospective buyers.

If these are the facts, then the petitioner does not have any right to sell the property alone until and unless property in dispute is partitioned and petitioner becomes owner of his share to transfer clear title in favour of

the prospective buyers.

In view of the above facts and circumstances, we find no sufficient reason for the purpose of issuance of a writ in the nature of mandamus, as prayed for.

Hence, the present petition is hereby dismissed.

(RAKESH KUMAR JAIN)
JUDGE

November 07, 2019
Vgulati

(SUVIR SEHGAL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No