

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

CWP-38079-2018
Decided on : 14.03.2019

Tata Capital Financial Service Ltd.

..... Petitioner

Versus

State of Haryana and ors.

..... Respondents

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

Present : Mr.Pardeep Sharma, Advocate for
Mr. Gaurav Goel, Advocate
for the petitioner.

Mr. Ayuwan Singh, AAG, Haryana and
Ms. Mamta Singla Talwar, DAG, Haryana.

Mr. Amandeep, Advocate for
Mr. Pawan Singh, Advocate
for respondent No.2.

Ajay Kumar Mittal, J.

Separate replies filed on behalf of respondents No.4 and 5 and 6 to 12 in Court today are taken on record subject to all just exceptions. Office to tag the same at appropriate place.

2. Prayer in the writ petition filed under Articles 226/227 of the Constitution of India is for issuance of writ in the nature of mandamus directing respondents No.1 to 5 to take over the actual physical possession of the mortgaged properties.

3. Learned counsel for the petitioner submitted that the physical possession of the secured asset has been delivered to the petitioner. Therefore, the present petition has become infructuous and may be disposed of as such.

4. Learned counsel for respondents No.6 to 12 submitted the

possession of the additional property, which was not mortgaged with the petitioner, has been delivered to the petitioner.

5. In view of the submission made by learned counsel for the petitioner, the present petition is disposed of as having rendered infructuous. However, it shall be open for respondents No.6 to 12 to take recourse to the remedies as may be, available to them, in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

14.03.2019
sonia

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No