

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

216

**CWP No.113 of 2019
Date of Decision: 03.07.2019**

State Bank of India

.....Petitioner

Versus

State of Punjab and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI**

Present : Mr. Vikas Chatrath, Advocate for the petitioner.

Mr. Amit Mehta, Sr. D.A.G., Punjab.

Mr. D.K. Gupta, Advocate for respondents No.6 to 10.

RAKESH KUMAR JAIN, J. (ORAL)

The petitioner has prayed for the issuance of a writ in the nature of mandamus seeking direction to the respondents much less the official respondents to deliver the actual physical possession of the mortgaged land in terms of the order passed under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 dated 20.04.2018 (**Annexure P-3**).

Notice of motion was issued in this case on 09.01.2019.

Counsel for the State appearing on behalf of the official respondents has submitted that though the date for delivery of actual physical possession was fixed 25.03.2019 but because of the unavailability of police force, which is required in large number, due to elections of the Lok Sabha, the order dated 20.04.2018 could not be complied with. He has, however, stated that the said order will now be complied with as early as possible as directed.

Mr. D.K. Gupta, Advocate has put in appearance on behalf of respondents No.6 to 10 raised no objection and has also not filed any reply.

Keeping in view the aforesaid facts and circumstances, the present petition is allowed and a direction is issued to respondents No.1 to 5 to initiate proceedings to deliver actual physical possession of the land in question to the petitioner as early as possible but preferably within 15 days from the date of receipt of certified copy of this order after giving proper notice to the parties concerned.

(RAKESH KUMAR JAIN)
JUDGE

(ARUN KUMAR TYAGI)
JUDGE

03.07.2019
Vinay

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No