

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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Civil Writ Petition No.28300 of 2018 (O&M)
Date of decision: February 22, 2019

Bajaj Finance Ltd.
versus

....Petitioner

District Magistrate-cum-Deputy Commissioner, Panipat and others
....Respondents

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

Present: Mr. Vivek Sethi, Advocate for the petitioner.

Mr. Pankaj Gupta, Addl. A.G., Punjab.

Mr. Vibhu Agnihotri, Advocate for respondent No.4.

Mr. Vikram Chaudhary, Senior Advocate with
Ms. Isha Goyal, Advocate for applicant-respondent No.8.

AJAY KUMAR MITTAL, J. (ORAL)

Civil Misc. No.18522 of 2018

This is an application under Order 1 Rule 10 read with Section 151 of the Code of Civil Procedure, 1908, and Rule 3 Vol.1 Chapter 1 Part C of the Punjab and Haryana High Court Rules and Orders to implead Smt.Pushpa Ratra wife of Charanjeet Ratra resident of New Friends Colony, Behind Singla Nursing Home, Model Town, Panipat as respondent No.8.

2. It has been claimed by the applicant that she is a proper and necessary party to be impleaded as party-respondent in this writ petition.

3. Notice of this application was issued and learned counsel for the petitioner pleads no objection.

4. After hearing learned counsel for the parties and perusing the contents of the application which is supported by an affidavit of the applicant, the same is allowed and '*Smt. Pushpa Ratra wife of Charanjeet Ratra resident of New Friends Colony, Behind Singla Nursing Home, Model Town,*

Panipat' is impleaded as respondent No.8 in this writ petition. The amended

memo of parties filed along with the application is taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

Main case

The petitioner has approached this Court under Articles 266/227 of the Constitution of India seeking a writ in the nature of mandamus directing respondent No.1 to execute it's own order dated 20.08.2018 (**Annexure P-9**) as per the provision of Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for brevity 'the Act') and to direct respondents No.1 and 2 to hand over actual physical possession of the property in question to the petitioner-Company as per mandate of the Act.

2. At the outset, learned counsel for respondent No.8 submitted that respondent No.8 has already discharged the outstanding liability of the petitioner and loan account has been settled. Learned counsel for the petitioner has also acknowledged the said fact and submitted that he has instructions to state that the principal borrower has no objection for handing over the title deed to respondent No.8.

3. In view of the above, learned counsel for the parties submitted that the present petition has been rendered infructuous and the same may be disposed of as such.

4. Ordered accordingly.

(AJAY KUMAR MITTAL)
JUDGE

(MANJARI NEHRU KAUL)
JUDGE

February 22, 2019

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Whether speaking/reasoned?
Whether reportable?

Yes/No
Yes/No