IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.4306 of 2020

Date of Decision: 18.02.2020

M/s Padam Motors Pvt Ltd and Ors.

.....Petitioners

Versus

Addl. Distt Magistrate cum Addl. Deputy Commissioner, Ludhiana & Anr

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJIV SHARMA
HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Siddharth Gupta, Advocate for the petitioners.

Mr. Vipul Dharmani, Advocate for the Caveator-respondent No.2.

RAJIV SHARMA,J

By way of instituting this petition, a writ of Certiorari has been sought for setting aside order dated 12.12.2019 (P.5) passed by respondent No.1 allowing application dated 17.07.2019 (P.3) filed by respondent No.2 with further prayer for directing respondent No.2 not to take any coercive step for the recovery of the disputed loan amount during the pendency of application filed under Section 11 (6) of the Arbitration and Conciliation Act, 1996.

The only contention raised on behalf of the petitioners is that the provisions of the Securitilization & Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for brevity “the Act”) particularly Section 14 of the Act have not been complied with.

It is apparent from the perusal of judgment dated 09.01.2020 (P.7) passed by this Court that the possession of the mortgaged property has

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already been handed over to respondent No.2 thereby rendering the writ petition bearing CWP No.34915 of 2019 infructuous.

Consequently, we find the present petition to be bereft of any merit and the same is dismissed.

(RAJIV SHARMA)
JUDGE

(HARINDER SINGH SIDHU)
JUDGE

February 18, 2020
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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No

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