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

CWP No.7226 of 2020 (O&M)

Date of Decision : 10.06.2020

Som Parkash

..... Petitioner

Versus

State Bank of India

..... Respondent

**CORAM : HON'BLE MR. JUSTICE AJAY TEWARI
HON'BLE MR. JUSTICE JASGURPREET SINGH PURI**

Present :- Ms. G.K. Mann, Advocate
for the petitioner.

AJAY TEWARI, J. (ORAL)

This petition has been filed against the action of the respondent-bank under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (*hereinafter referred to as 'the SARFAESI ACT*).

Admittedly, the petitioner has obtained loan and cash credit limit. Admittedly, for the past two years the petitioner has not been able to service that loan and notice under Section 13(2) of the SARFAESI ACT was issued on 18.08.2018 for a sum of Rs.21,55,639/-. The present petition has been filed against the action of the respondent – bank in moving an application under Section 14 of the SARFAESI ACT before the District Magistrate, Kaithal.

Counsel for the petitioner has argued that the petitioner has been hamstrung in making the payments due to the Covid-19 pandemic.

This statement cannot be accepted because, as mentioned above no amount has been paid by the petitioner for a period of more than 2 years.

We put it to the counsel for the petitioner if he could liquidate half the due amount on or before 30.06.2020 and if that happened some relief could be considered but the counsel for the petitioner has expressed the inability of the petitioner to make this payment and rather made a counter offer that the petitioner can pay Rs.5 lakhs within two months.

In our considered opinion, no relief can be granted to the petitioner. Petition is dismissed.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

(JASGURPREET SINGH PURI)
JUDGE

June 10, 2020
ashish/pooja sharma-I

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