

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 10728 of 2020

Date of Decision: 28th July, 2020

M/s M.S. Stone Crusher Gram Udyog Mandal Dadam, Tehsil Tosham,
District Bhiwani

....Petitioner

VERSUS

Bank of Baroda, Baroda Bhawan, RC Dutt Road, Alkapuri Baroda through
its Managing Director and another

....Respondents

**CORAM: JUSTICE S. MURALIDHAR
JUSTICE AVNEESH JHINGAN**

Present: Mr. Shailendra Sharma, Advocate
for the Petitioner.

Mr. Umang Khosla, Advocate
for Respondent Nos. 1 and 2.

Dr. S. Muralidhar, J.

1. The Petitioner is aggrieved by an auction notice which proposes sale by public auction of the immovable property mortgaged by the Petitioner with the Respondent/Bank. The auction has been fixed for 31st July, 2020.

2. Learned Counsel for the Petitioner refers to Rule 8 (6) of the Security Interest (Enforcement) Rules, 2002 and submits that 30 days' advance notice was not given to the Petitioner prior to issuance of the auction notice.

3. Admittedly, this is the second auction notice. Earlier a notice of auction was issued, but no effective bids were received on account of the Covid-19 lockdown.

4. Learned Counsel for the Petitioner, when specifically asked if the Petitioner is prepared to deposit, in order to show his *bona fides*, at least 50% of the outstanding amount, for the purpose of interim relief, states that

the Petitioner is not prepared to do so at the present moment. He needs some more time for that purpose.

5. In the circumstances, the Court sees no reason to interfere with the impugned auction notice at this stage.

6. This petition is accordingly dismissed.

(S. MURALIDHAR)
JUDGE

(AVNEESH JHINGAN)
JUDGE

28th July, 2020
jk

Whether speaking/reasoned Yes/No

Whether reportable Yes/No