

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

CWP-10620-2020 (O&M)
Date of decision:- 17.08.2020

Smt. Kusumlata Saini and others

...Petitioner(s)

Versus

Shubham Housing Development Finance Company and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Ajay Jain, Advocate,
for the petitioners.

Mr. J.S. Yadav, Advocate,
for respondents No. 1 and 2.

Mr. Deepak Balyan, Additional Advocate General, Haryana.
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RAVI SHANKER JHA, C.J. (ORAL)

With the consent of learned counsel for the parties, the matter is being taken up and heard via video conferencing.

This petition has been filed by the petitioners against the action being taken by respondent No. 1 under the provisions of Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

When confronted with the decisions of the Supreme Court rendered in *Authorized Officer, State Bank of Travancore and another Vs Mathew K.C.* 2018(3) SCC 85 and *ICICI Bank Ltd. and others Vs Umakanta Mohapatra and others* 2019(13) SCC 497 regarding non-entertainability of the petition, learned counsel for the petitioners submits that they have already deposited a sum of Rs. 2 lacs pursuant to an interim order dated 27.07.2020 passed by this Court and that only prayer is for a direction to the Permanent Lok Adalat before which they have already filed an application under Section 22(c) of the Legal Services Authority

Act, 1987 by directing it to decide the dispute between the petitioners and

the respondents. It is stated that the petitioners have already entered into a contract of indemnity with respondents No. 3, 4 and 5 for insuring the loan taken by the petitioners. He submits that to show their bonafides, the petitioners are willing to deposit another sum of Rs. 2 lacs within a week and on this ground prays for a direction to the Permanent Lok Adalat to decide the matter at an early date.

In the circumstances and looking into the peculiar facts of the present case, while disposing of the petition, in view of the law laid down by the Supreme Court in the abovementioned cases, the Permanent Lok Adalat, Rewari is directed to consider and decide the dispute raised by the petitioners that is pending before it as expeditiously as possible preferably within a period of four months subject to the petitioners depositing a sum of Rs. 2 lacs within two weeks.

It is made clear that till the decision by the Permanent Lok Adalat, Rewari, the interim arrangement made by this Court regarding non-taking of coercive steps shall continue to remain in operation.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

17.08.2020
Amodh

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