

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

114

CWP No. 13119 of 2020

Date of Decision: 1st September, 2020

Bank of Baroda

.....Petitioner

Versus

State of Haryana and others

.....Respondents

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

Present: Mr. Pawan Kumar Gupta, Advocate and Mr. Gaurav Deep Goel,
Advocate for the Petitioner.
Mr. Ankur Mittal, Additional Advocate General, Haryana.

Dr. S. Muralidhar, J.

1. The short prayer in the present petition by the Bank of Baroda is for a direction to the official Respondents i.e. District Magistrate, Sector 12, Karnal (Respondent No. 2) and Tehsildar-cum-Duty Magistrate, Sector-12, Karnal (Respondent No. 3) to provide necessary help in taking possession of the property, consequent upon a notice dated 26th July, 2018 under Section 13 (4) of Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 ('SARFAESI Act'). The grievance is that even the order dated 5th April, 2019 passed by the DM in this regard, is not being implemented.

2. The Court finds that the Superintendent of Police ('SP') Sector-12 Karnal, has also been impleaded as Respondent No. 4 in the present petition.

3. Mr. Ankur Mittal, Additional Advocate General, Haryana, states that if a direction is issued by this Court, it will be duly complied with by the official Respondents.

4. In that view of the matter, a specific direction is issued to Respondent Nos. 2 to 4 i.e. The DM, Tehsildar-cum-Duty Magistrate and SP, Karnal, respectively, to strictly comply with the order dated 5th April 2019, already passed and provide necessary help to the Petitioner to take possession of the property in

5. The necessary steps be taken not later than 15th September, 2020.
6. A copy of this order be communicated to the DM, Karnal, Tehsildar-cum-Duty Magistrate, Karnal and SP, Karnal by the Registry forthwith for compliance.
7. The petition is disposed of in the above terms.
8. Order *dasti*.

(S. MURALIDHAR)
JUDGE

(AVNEESH JHINGAN)
JUDGE

1st September, 2020
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Whether speaking/reasoned:	Yes
Whether Reportable:	No