

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

233

CWP-36806-2019

Date of decision: 17.02.2020

Ilam Chand

....Petitioner

Versus

State of Haryana & others

...Respondents

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: MsPrabhjot Kaur Virk, Advocate, for the petitioner.

Ms.Vibha Tewari, AAG, Haryana.

Mr.U.K.Agnihotri, Advocate, for respondents No.2 to 5.

G.S. SANDHAWALIA, J. (Oral)

Prayer in the present writ petition, filed under Articles 226/227 of the Constitution of India, is for quashing the order dated 31.10.2019 (Annexure P-1), passed by respondent No.4, wherein on account of the outstandings, the property was sent for sale under Section 77 of the Haryana Cooperative Societies Act, 1984. An option was given to the petitioner-loanee to deposit the amount with interest and expenses, within 15 days. On account of non-deposit of the amount, impugned order, as such, was passed by the respondent No.4, attaching the property, though wrongly mentioning that the sale has been confirmed.

In pursuance of the notice of motion order dated 24.12.2019, since the OTS scheme was stated to be prevalent, petitioner has deposited a sum of Rs.5 lakhs and an additional amount of Rs.2510/-. Mr.Agnihotri submits that now there are no outstanding amount against the petitioner.

Accordingly, keeping in view the above and in view of the fact that the matter has been amicably resolved inter se the parties, the present writ petition stands disposed of. The respondent-Bank shall take necessary steps for de-attaching the property of the petitioner and issue the necessary formal certificate.

17.02.2020

Sailesh

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No