

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

CWP-4692-2021

Date of decision: 26.2.2021

Guru Kripa Enterprises

...Petitioner

Versus

District Magistrate and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN
HON'BLE MR. JUSTICE VIVEK PURI**

Present: Mr.Umesh Aggarwal, Advocate for the petitioner

Mr.Shireesh Gupta, Sr.DAG, Punjab
for respondent No.1

Mr.CS Pasricha, Advocate for respondent No.2

JITENDRA CHAUHAN, J.

The matter has been taken up through video-conferencing in the light of the pandemic Covid-19 situation and as per instructions.

This writ petition under Articles 226/227 of the Constitution of India has been filed for issuance of direction to the official respondents to immediately release the movable property, detailed vide Annexure P2 as the said property being owned by the petitioner, evidently is not a secured asset, and has been illegally retained by the official respondents.

Complete sets of paper books have already been supplied to the learned counsel for respondent Nos. 1 and 2.

Learned counsel for the petitioner states that he has already vacated the premises and does not claim any tenancy rights as of now. At

this stage, he would be satisfied, if the respondent-Bank is directed to treat the present petition as representation and decide the same expeditiously.

Learned counsel for respondent No.2 informs that in identical matter, the bank has been directed by a Coordinate Bench of this Court vide order of even date to examine and take a final view on the prayer made by the petitioner within four weeks.

After hearing the learned counsel for the parties, we feel that the issuance of notice is not required at this stage.

In view of the submissions made above, without adverting to the merits of the case, the present petition is disposed of with a direction to the Manager, Punjab National Bank, AGM Branch, Zonal Sastra Center, Zonal Office, Site No.5 Ferozepur Road, Near Westend Mall, Ludhiana-respondent No.2 to treat the present petition as representation and decide the same as per law within four weeks from the date of receipt of the certified copy of the judgment. The petitioner shall also supply the proof of ownership of the goods including the vehicles of the customers to the Bank. Considering that the vehicles of the customers have also been seized, we direct the respondents to consider and decide the issue to the extent of vehicles within a week from the receipt of the copy of the present petition.

[JITENDRA CHAUHAN]
JUDGE

[VIVEK PURI]
JUDGE

26.02.2021

gsv

Whether speaking / reasoned?
Whether reportable?

Yes / No
Yes / No