

**IN THE HIGH COURT OF PUNJAB AND HARAYANA AT CHANDIGARH
109 (PROCEEDINGS THROUGH V.C.)**

CWP-6699-2021

Date of decision:23.03.2021

HDB FINANCIAL SERVICES LIMITED

...PETITIONER

Vs.

**ADDITIONAL DISTRICT MAGISTRATE-CUM-ADDITIONAL
DEPUTY COMMISSIONER SAS NAGAR AND OTHERS**

...RESPONDENTS

***CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE ASHOK KUMAR VERMA***

**Present: Mr. Vipul Dharmani, Advocate,
for the petitioner.**

**Mr. Shireesh Gupta, Sr. DAG, Punjab,
for the State.**

AUGUSTINE GEORGE MASIH, J. (ORAL)

This writ petition has been preferred praying for issuance of a writ of mandamus directing the Additional District Magistrate-cum-Additional Deputy Commissioner, SAS Nagar (Mohali) (exercising the power of District Magistrate under the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (hereinafter referred to as 'SARFAESI Act, 2002')-respondent No. 1 for deciding the application dated 01.12.2020 (Annexure P-3) filed by the petitioner i.e. HDB Financial Services Limited under Section 14 of the SARFAESI Act, 2002 forthwith specially in the light of the fact that the respondents have been duly served about a month and half earlier but no

decision thereon has been taken till date. It has also been brought to the notice of the Court that the next date of hearing in the application is 30.03.2021.

Counsel for the petitioner submits that the petitioner, at this stage, would be satisfied if a direction is issued to respondent No. 1 to consider and decide the application of the petitioner dated 01.12.2020 (Annexure P-3) on 30.03.2021 as already three months have passed by since the filing of the application.

Without going into the merits of the case or commenting thereon, the present petition is disposed of with directions to the Additional District Magistrate-cum-Additional Deputy Commissioner, SAS Nagar (Mohali) (exercising the power of District Magistrate under the SARFAESI Act, 2002-respondent No. 1) to consider and decide the application dated 01.12.2020 (Annexure P-3) preferred under Section 14 of the 'SARFAESI Act, 2002 by the petitioner, on 30.03.2021 and in case the same is not possible, within a further period of two weeks.

Counsel for the State to inform respondent No. 1 about the order passed by this Court.

**(AUGUSTINE GEORGE MASIH)
JUDGE**

**(ASHOK KUMAR VERMA)
JUDGE**

March 23, 2021

pj

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No