

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

Date of Decision:-20.08.2021

CWP-9137-2021

Kahan Chand.

.....Petitioner.

Versus

State of Punjab & Ors.

.....Respondents.

**CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH
HON'BLE MR. JUSTICE SANT PARKASH**

Present:- Mr. Narinder Kumar Awasthi, Advocate for the Petitioner.

Mr. Shireesh Gupta, Senior Deputy Advocate General, Punjab.

JASWANT SINGH, J.(ORAL)

[The aforesaid presence is being recorded through video conferencing since the proceedings are being conducted in virtual court.]

Petitioner, who stood as guarantor to various credit facilities availed by M/s SK IT World from State Bank of India, which were declared as NPA on 28.05.2018, has filed this petition under Articles 226/227 of the Constitution seeking a writ in the nature of Certiorari for quashing order dated 27.11.2019 (Annexure P-3) passed by respondent no.2-District Magistrate, Sangrur directing Tehsildar-cum-Executive Magistrate, Lehra, District Sangrur to take over the possession of secured properties from the petitioner and hand over the same to respondent No.4-Bank under Section 14 of the SARFAESI Act, 2002. Further prayer is to quash the order dated 12.04.2021 (Annexure P-4) passed by respondent No.3 directing petitioner

to vacate the secured property.

At the time of hearing on 28.04.2021 learned Counsel for the petitioner restricted his prayer to protection from dispossession of the petitioner-guarantor from the sole residential house for a period of few months during the COVID-19 Pandemic.

At the time of hearing, learned State Counsel submits that the restricted prayer made by the petitioner qua his dispossession is squarely covered by direction no. (iv) contained in the order dated 28.04.2021 passed by this Court in **CWP-PIL-77-2021** titled as **Court on its own Motion Vs. Union of India & Ors.**, operation of which was further extended upto 31.08.2021 vide order dated 30.06.2021.

Learned Counsel for the petitioner does not dispute the aforesaid factual position.

In view of the above, the present writ petition stands **disposed of** accordingly.

(JASWANT SINGH)
JUDGE

(SANT PARKASH)
JUDGE

August 20, 2021
Vinay

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>