

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

Sr. No.112

CWP-7766-2021

Date of Decision: 07.04.2021

PUNJAB NATIONAL BANK

... Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

... Respondents

**CORAM: HON'BLE MS. JUSTICE RITU BAHRI
HON'BLE MRS. JUSTICE ARCHANA PURI**

Present: Mr. Virender Sood, Advocate,
for the petitioner.

RITU BAHRI, J.

The petitioner-Punjab National Bank is seeking directions to respondents No.1 and 3 to act and implement the order dated 20.09.2019 (Annexures P-2 to P-6) pursuant to the application filed by it under Section 14 of the SARFAESI Act.

In paragraph No.2 of the writ petition, details of credit facilities with respect to the accounts of the secured creditor have been given and on account of default in repayment of loan installments and interest thereon, all these loan accounts were declared NPA in accordance with the guidelines issued by Reserve Bank of India. Thereafter, SARFAESI proceedings were initiated under Section 13 of the SARFAESI Act on 31.10.2015 and symbolic possession was taken on 15.07.2019 and thereafter the petitioner filed an application under Section 14 of the SARFAESI Act before respondent No.2-District Magistrate, Gurdaspur, for taking over the

physical possession. Vide order dated 20.09.2019 (Annexure P-2) directions were issued by respondent No.2 for providing necessary police assistance for taking over the physical possession of the assets charged to the Bank and the date fixed for physical possession was 22.10.2019 (Annexure P-8). Another report dated 27.11.2019 (Annexure P-9) has been placed on record to show that respondent No.3 had failed to take possession of the secured assets.

Notice of motion.

Mr. Avinit Avasthi, Assistant Advocate General, Punjab, accepts notice on behalf of the respondents.

Without expressing any opinion on the merits of the case, at this stage, the instant Civil Writ Petition is disposed of by giving directions to respondents No.1 and 3 to get the order dated 20.09.2019 (Annexures P-2 to P-6) implemented in accordance with law, within a period of two months from the date of receipt of certified copy of this judgment.

(RITU BAHRI)
JUDGE

(ARCHANA PURI)
JUDGE

07.04.2021
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No