

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

CWP No.11445 of 2021(O&M)

Date of Decision:-06.07.2021

Raja Ram & Anr.

.....Petitioners.

Versus

Authorized Officer/Chief Manager of State Bank of India & Anr.

.....Respondents.

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

Present:- Mr. J.K. Singla, Advocate for the Petitioners.

Ms. Swati Batra, Advocate for the Respondents.

JASWANT SINGH, J.(ORAL)

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

Petitioner Nos.1 & 2 husband/wife-duo (co-borrowers) had availed the loan facility for a sum of Rs.29.50 lacs from the State Bank of India, Phul Town Branch, Bathinda on 09.02.2017. The loan account for lack of financial discipline has been declared NPA on 03.04.2021. Notices under Section 13(2) of the SARFAESI Act was issued to both the petitioners on 03.04.2021 (P-1) seeking recalling of the outstanding loan amount of Rs.24,69,955/- as on 03.04.2021. Since the submitted reply dated 20.04.2021 (P-2) to the notices were not decided within 15 days in terms of the provisions of Section 13(3) of the SARFAESI Act, the petitioners have approached this Court seeking Mandamus for directing the

respondents-Bank to decide the said reply.

Ms. Swati Batra, Advocate appearing for respondent Bank, on advance notice, makes statement that there was some mistake in the official communication and therefore, the bank is in the process of withdrawing the original notice dated 3.04.2021 (P-1) and take further action by issuing fresh notices in accordance with law.

In view of the above, nothing more survives for adjudication in the present writ petition and the same is hereby **disposed of as infructuous**.

(JASWANT SINGH)
JUDGE

(SANT PARKASH)
JUDGE

July 06, 2021
Vinay

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No