

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

CWP No.12290-2020

Date of Decision:28.01.2021

M/s Yamuna Bardana Traders and others

...Petitioners

Versus

State of Haryana and another

...Respondents

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

Present: Mr.Aalok Jagga, Advocate and
Mr. APS Madan, Advocate for the petitioners.

Ms. Shruti Jain Goyal, DAG, Haryana.

Ms.Mandeep Kaur, Advocate for
Mr. Vikas Chatrath, Advocate
for respondent-Bank.

JASWANT SINGH, J. (ORAL)

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

Petitioner No.1 is a Partnership Firm and petitioners No.2 and 3 are its partners.

By filing the present writ petition, challenge has been laid to the various notices under the SARFAESI Act, 2002 including the last sale notice dated 22.07.2020 (P-13), whereby the immovable property/secured asset had been put to sale after the Credit Cash Limit Account of the petitioner had been declared NPA.

It is claimed that Petitioner Firm is covered under the definition of MSME Unit and according to the policy dated 17.03.2016 (P-1) issued by the Reserve Bank of India, their units are required to be considered for revival by Designated Committee constituted within the framework of the

said policy even before declaring an account to be NPA in case outstanding default is less than a specified amount.

After issuance of notice by this Court, the respondent authorities were directed to constitute a Designated Committee in compliance and within terms of the said policy consider the case of the Petitioner-Firm, while staying further proceedings under the SARFAESI Act.

At the time of resumed hearing, learned counsel for the petitioners submits that the present writ petition has become infructuous as the necessary relief claimed by the petitioners has since been granted by the respondent-Bank.

In view of the above, the present writ petition is dismissed as infructuous.

(JASWANT SINGH)
JUDGE

(SANT PARKASH)
JUDGE

28.01.2021
mks

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