

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

**CWP No. 21654 of 2020**

Date of decision : 25.2.2021

Mandeep Kaur

.... Petitioner

versus

State of Punjab and another

... Respondents

**Coram: Hon'ble Mr. Justice Jaswant Singh  
Hon'ble Mr. Justice Sant Parkash**

**Present** Mr. Akhilesh Vyas, Advocate, for the petitioner.  
Mr. Navdeep Chhabra, Deputy Advocate General, Punjab.  
Mr. Yogesh Jain, Advocate, for respondent no. 2.

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

**Jaswant Singh, J. (Oral)**

Prayer in this writ petition is for quashing the auction notice dated 24.11.2020 (**Annexure P-1**) issued by Respondent no. 2- Punjab and Sind Bank in respect of House No. 472 situated at Nangli Varindavan Garden, Fatehgarh Churian Road, Amritsar, owned by the petitioner.

The petitioner along with her husband took housing loan from respondent no. 2 to the tune of ₹ 46 lacs. Due to the default in re-payment of loan, their loan account was declared NPA failing which the bank initiated the proceedings under the Securitisation and Reconstruction of Financial Assets and Enforcement of Securities Interest Act, 2002 and ultimately the mortgaged house was put to auction at a reserve price of ₹ 32.50 lacs vide Annexure P-1.

In the present petition prayer is to quash the said auction notice Annexure P-1 on the grounds set out in the petition.

Vide order 15.12.2020, notice of motion was issued whereby e-auction scheduled for that date was made subject to the outcome of the writ petition. It was also further made clear that confirmation of sale of e-auction shall not be completed until the next date of hearing.

At the time of hearing today, learned counsel for the respondent-bank states that sale certificate has been issued.

Since sale certificate has been issued, the petitioner is relegated to pursue appropriate remedy before the Debts Recovery Tribunal, in accordance with law.

The petition stands disposed of.

(Jaswant Singh)  
Judge

25.2.2021  
vs

(Sant Parkash)  
Judge

|                            |        |
|----------------------------|--------|
| Whether speaking/ reasoned | Yes/No |
| Whether Reportable         | Yes/No |