

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

215

Civil Writ Petition No.22801 of 2020

Date of Decision: February 23rd, 2021

Preeti Modi and another

...Petitioners

Versus

District Magistrate, Faridabad and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE ASHOK KUMAR VERMA**

Present: Mr. Himanshu Jain, Advocate
for the petitioners.

Ms. Shubhra Singh, Additional Advocate General, Haryana.

Mr. Umang K. Khosla, Advocate
for respondent No.2-Bank.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Prayer in this petition is for issuance of a writ of mandamus directing the respondents to allow the petitioners to take out the belongings from the sealed premises.

2. Upon notice having been issued to the respondents, reply has been filed on behalf of respondent No.2 i.e. Bank of Baroda.

3. A perusal of the same would indicate that the bank has only stated that they were not aware of the fact that the petitioners were tenants in the premises in question. There is nothing mentioned in the written statement, which would indicate that the goods lying in the premises were also mortgaged with the bank.

4. In the light of the above facts, prayer made in the writ petition is accepted.

5. In case any of the goods of the petitioners are lying in the sealed premises, the bank shall permit the petitioners to remove the same.

Petitioners may approach the authorized officer and on a mutual agreed

date, the said goods be taken away from the said premises under proper receipt as per the inventory.

6. The writ petition is allowed accordingly.

(AUGUSTINE GEORGE MASIH)
JUDGE

February 23rd, 2021
Puneet

(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No