

M/S KOTAK MAHINDRA BANK LIMITED

... PETITIONER

V/S

DISTRICT MAGISTRATE AND OTHERS

... RESPONDENTS

**CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN
HON'BLE MR. JUSTICE VIVEK PURI**

Present: Mr. Aman Bansal, Advocate for the petitioner.
Mr. Suveer Sheokand, Additional Advocate General, Punjab
for respondent Nos. 1 to 3.
Ms. Jyoti Sareen, Advocate, for respondent No.6.
None for respondent Nos. 7 and 8, despite service.
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JITENDRA CHAUHAN , J. (ORAL)

The matter has been taken up through video conferencing in the light of the pandemic Covid-19 situation and as per instructions.

Prayer in the present petition filed under Articles 226/227 of the Constitution of India is for issuance of writ in the nature of mandamus for directing the concerned authorities/respondent No. 2 to hand over the physical possession of the secured asset.

Learned State counsel states that Mr. Kuldeep Singh, Naib Tehsildar was scheduled to take possession of the property in question and hand over the same to the petitioner-Bank on 16.04.2021. However, on account of taking of Covid-19 vaccine he became unwell and the possession could not be taken on the said date. Now, the notice has been circulated whereby possession of the property in question will be handed over on 17.05.2021.

In view of the statement made by learned State counsel, learned counsel for the petitioner states that he does not press the present petition at this stage.

In case the possession is not handed over to the petitioner-Bank on 17.05.2021, the petitioner shall have the right either to revive the present petition or file afresh on the same cause of action.

Disposed of accordingly.

Pending applications, if any, also stand disposed of.

[JITENDRA CHAUHAN]
JUDGE

[VIVEK PURI]
JUDGE

22.04.2021
Janki

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No