

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

123

CR-732-2022(O&M)

Date of decision:24.03.2022

INDIABULLS HOUSING FINANCE LTD.

...Petitioner

Versus

SANJEEV KUMAR PROPRIETOR AND ORS.

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

**Present: Mr. Rajeev Anand, Advocate,
for the petitioner.**

ANIL KSHETARPAL, J (Oral)

The hearing of the case is being held through video conferencing on account of restricted functioning of the Courts.

The petitioner while filing the present revision petition under Article 227 of the Constitution of India, prays for setting aside the order dated 07.01.2022, passed by the Permanent Lok Adalat (Public Utility Service), Sri Muktsar Sahib.

The Permanent Lok Adalat has passed an ex-parte order directing the parties to maintain status-quo with regard to residential house bearing Kothi No.103, Street No.1, Green Avenue, Mission Ground, Kotakpura Road, Sri Muktsar Sahib.

The learned counsel representing the petitioner contends that the order is without jurisdiction. He further submits that the proceedings under the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (hereinafter referred to as 'the SARFAESI Act') are pending and due to an interim order, the same cannot be taken to a logical end.

He admits that the order in question is an interim order and the matter is now fixed for 05.04.2022.

In these facts, it is considered appropriate to request the Permanent Lok Adalat to pass a fresh order after hearing the petitioner's objections.

It shall be open to the petitioner to take all the defences before the Permanent Lok Adalat.

Disposed of accordingly.

All the pending miscellaneous applications, if any, are also disposed of.

March 24, 2022
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No