

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

**CWP No.10377 of 2022**

**Date of Decision: 16.05.2022**

***M/S RAMA KRISHNA SPINTEX (P) LTD. THROUGH ITS DIRECTOR  
MAKHAN LAL***

*.....Petitioner*

**V/s.**

***UNION BANK OF INDIA (ERSTWHILE ANDHRA BANK), AND  
OTHERS***

*.....Respondents*

**CORAM: HON'BLE MR. JUSTICE M.S. RAMACHANDRA RAO.**  
**HON'BLE MR. JUSTICE JASJIT SINGH BEDI**

Present: Mr. Vikas Bali, Advocate,  
for the petitioner.

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**M.S. RAMACHANDRA RAO, J. (Oral)**

Notice of motion.

Mr. Arvind Rajotia, Advocate accepts notice on behalf of  
respondent No.1-Bank.

It is not in dispute that there is an error which has crept into the  
description of one of the items of the properties mentioned in the  
application filed under Section 14 of the SARFAESI Act, 2002 before  
respondent No.2 as **Item No.1** thereof. This factum is not disputed by  
counsel for respondent No.1-Bank either.

Accordingly, the Writ Petition is disposed of, restraining  
dispossession of the petitioner from the said **Item No.1** property mentioned  
in the application filed under Section 14 of the SARFAESI Act, 2002, but  
this shall not preclude respondent No.1 from issuing a fresh notice under  
Section 13(4) of the SARFAESI Act, 2002 taking appropriate steps under

Section 14 of the SARFAESI Act, 2002 before the District Magistrate concerned for securing possession thereof.

The respondent No.1 shall also supply a copy of the OTS Policy to the petitioner within a period of one week from today.

**(M.S. RAMACHANDRA RAO)**  
**JUDGE**

**(JASJIT SINGH BEDI)**  
**JUDGE**

**May 16, 2022**  
*Ess Kay*

|                                    |   |             |
|------------------------------------|---|-------------|
| <i>Whether speaking / reasoned</i> | : | <i>Yes.</i> |
| <i>Whether Reportable</i>          | : | <i>No</i>   |