

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

**CM-12158-CWP-2022 and
CM-12164-CWP-2022 in/and
CWP-25228-2019 (O&M)
Date of Decision: 17.08.2022**

M/S SAHIL KUMAR DEV KUMAR

..... Applicant/Petitioner(s)

Versus

STATE BANK OF INDIA AND OTHERS

..... Respondent(s)

**CORAM:- HON'BLE MRS. JUSTICE LISA GILL
HON'BLE MR. JUSTICE HARSH BUNGER**

Present: Mr. Shubham Singh, Advocate for
Mr. Vivek Goyal, Advocate
for the petitioner.

Mrs. Manjari Joshi, Advocate for
Mr. Rajiv Joshi, Advocate
for the applicant-respondents no.1 and 2.

LISA GILL, J.

Prayer in the application is for preponement of the writ petition and disposal thereof while placing on record affidavit dated 08.08.2022 of Mr. Jaibir Singh, Chief Manager, State Bank of India, SARB, Panchkula.

Learned counsel for the applicant-respondents no.1 and 2 Bank submits that matter has been settled with the petitioner under the One Time Settlement Scheme (OTS 2020) of the respondent-Bank. It is stated in affidavit dated 08.08.2022 that as per the Bank's internal management, petitioner's account has been transferred from the State Bank of India, New Grain Market, Kurukshetra to State Bank of India, SARB, Panchkula and during pendency of this writ petition Cash Credit Account No.65255871757 has been closed on 01.06.2021 under the Bank's One Time Settlement

Scheme. Petitioner, it is stated, has deposited an amount of Rs. 16,58,178.38/-. Title deeds of the Collateral Security mortgaged with the respondent-bank have been returned to the petitioner. Learned counsel submits that in view of above, this writ petition wherein quashing of notice dated 23.08.2018 (Annexure P-3) under Section 13(2) of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002; possession notice dated 18.01.2009 (Annexure P-5) and order dated 12.06.2019 (Annexure P-8), passed by learned District Magistrate, Kurukshetra has been sought, is rendered infructuous.

It is noticed that Mr. Shubham Singh, Advocate, appearing for Mr. Vivek Goyal, Advocate, who had filed this writ petition, on 26.07.2022 had stated that the file had been taken away by the petitioner from him and he had pleaded no instructions. Same is the position as on today. However, keeping in view the specific affidavit of Jaibir Singh, Chief Manager, State Bank of India, SARB, Panchkula, hearing of the writ petition is preponed from 03.11.2022 for today itself and the writ petition is disposed of as infructuous, in view of the said affidavit.

Needless to say, liberty is afforded to the petitioner to move an appropriate application, in case any incorrect fact has been set forth within four weeks. Copy of this order be conveyed to the petitioner at the given address.

(LISA GILL)
JUDGE

(HARSH BUNGER)
JUDGE

17.08.2022
Sunil

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