

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

CWP-26360-2022

Date of Decision: 21.11.2022

Om Parkash and another

. . . . Petitioners

Vs.

State Bank of India and others

. . . . Respondents

**CORAM: HON'BLE MR JUSTICE M.S. RAMACHANDRA RAO
HON'BLE MRS JUSTICE SUKHVINDER KAUR**

Present: - Mr.D.K. Gupta, Advocate, for the petitioners.

M.S. RAMACHANDRA RAO, J. (ORAL)

Notice of motion.

Mr.Gaurav Goel, Advocate, accepts notice on behalf of respondent No.1/Bank.

The grievance of the petitioners in this Writ Petition is that the petitioners have filed SA-66-2022 before the DRT-III, Chandigarh challenging the action initiated under the provisions of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 by respondent No.1/Bank; that they have also sought interim relief in the said application to stay further proceedings by respondent No.1 under the SARFAESI Act, 2002 qua the property of petitioner No.1; that the said application was filed in March 2022, but the same is still pending consideration before respondent No.6 and in the meantime respondent No.1 is trying to take physical possession of the said property from petitioner No.1.

Counsel for respondent No.1/Bank contends that since the petitioner has approached respondent No.6, respondent No.6 be directed to

decide SA-66-2022 expeditiously.

Having regard to the said submissions, this Writ Petition is disposed of directing respondent No.6 to decide the interim reliefs sought in SA-66-2022 as expeditiously as possible preferably within two months from the date of receipt of copy of this order and till the said interim reliefs sought in SA-66-2022 are decided, the petitioners shall not be dispossessed from the property in question by respondent No.1/Bank.

(M.S. RAMACHANDRA RAO)
JUDGE

(SUKHVINDER KAUR)
JUDGE

21.11.2022

Vivek

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

Yes/No
Yes/No