

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

CWP-2231-2020

Date of Decision: October 17, 2023

M/s Jaya Engineering Corporation

..... Petitioner

Versus

State Bank of India another

..... Respondents

**CORAM:- HON'BLE MRS. JUSTICE LISA GILL
HON'BLE MRS. JUSTICE RITU TAGORE**

Present: Mr. Lalit Pathak, Advocate for the petitioner.

Mr. Akshay Jain, Advocate for respondent – Bank.

LISA GILL, J.

1. Prayer in this writ petition is for directing the respondents to withdraw notice dated 16.01.2020 (Annexure P3) under Section 13(4) of Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short – ‘SARFAESI Act’) and not to dispossess the petitioner till final disposal of present petition.

2. Learned counsel for the respondent-Bank submits that this writ petition is rendered infructuous as the petitioner’s account was settled and closed way back on 06.01.2021.

3. Learned counsel for the petitioner submits that he has not received any instructions from the petitioner after issuance of notice of motion on 28.01.2020.

4. Be that as it may, in view of the categorical statement made by learned counsel for the respondent - Bank, we do not find any justification

for continuance of the present proceedings.

5. Writ petition is, accordingly, disposed of as infructuous with liberty to the petitioner to file appropriate application within four weeks in case, any incorrect fact has been placed before us.

(LISA GILL)
JUDGE

October 17, 2023

Rts

(RITU TAGORE)
JUDGE

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