

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

205

CWP-1991-2023

Date of Decision: 20.12.2023

GURSEWAK SINGH WALIA

... Petitioner

VERSUS

AUTHORISED OFFICER, BANK OF INDIA AND
ANOTHER

....Respondents

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

Present: None for the petitioner.

Mr. Rajiv Joshi, Advocate
for the respondent-Bank.

Mr. Sandeep Jain, Additional A.G. Punjab.

LISA GILL, J.(Oral)

1. Prayer in this writ petition is for quashing notice dated 04.01.2023 (Annexure P-2) issued by respondent No.2 pursuant to order dated 06.09.2021 passed by District Magistrate, Ludhiana under Section 14 of Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act (SARFAESI Act), 2002.

2. Notice of motion was issued in this writ petition by co-ordinate Bench on 01.02.2023 while directing that dispossession of petitioner from mortgaged property would remain stayed till next date of hearing, subject to deposit of Rs.2.5 lakhs within next two days and another Rs.2.5 lakhs on or before 28.02.2023.

3. Learned counsel for respondent-Bank reiterates that amount in terms of order dated 01.02.2023 has not been deposited.

4. Perusal of file reveals that none has appeared on behalf of

petitioner since passing of order dated 01.02.2023.

5. Following order was passed on the last date of hearing:-

“Petitioner seeks setting aside of proceedings under Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act (SARFAESI Act), 2002 initiated against him by respondent-Bank. Notice of motion was issued in this writ petition on 01.02.2023. None has been appearing on behalf of the petitioner on the last two occasions when this petition was taken up for hearing. Today again there is no representation on behalf of the petitioner.

However, in view of request forwarded by the Bar Association with reference to resolution dated 13.10.2023, adjourned to 20.12.2023.”

6. Today again there is no representation on behalf of the petitioner. It appears that petitioner is not interested in pursuing this matter any longer.

7. Writ petition is accordingly dismissed in default and for non-prosecution.

(LISA GILL)
JUDGE

(RITU TAGORE)
JUDGE

20.12.2023

Rimpal

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