

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

**CWP-2106-2023 (O&M)
Date of decision: 02.02.2023.**

Mahmood Alam Khan

... Petitioner

Vs.

Reserve Bank of India & others

... Respondents

**CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.
HON'BLE MR. JUSTICE SANJIV BERRY.**

Present: Mr. Jagdeep Singh Rana, Advocate for the petitioner.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

Challenge in the instant petition is to the order dated 02.07.2019 (Annexure P-3) passed by the District Magistrate, Gurgaon as also the consequential notice dated 23.11.2022 (Annexure P-5), whereby the Naib Tehsildar-cum-Executive Magistrate, Badshahpur has been called upon to take over possession of the mortgaged property and to deliver the same to the creditor/Bank.

In spite of repeatedly called upon to address submissions as regards validity of the impugned order, counsel would respond by saying that he has nothing to submit on merits.

He, however, has expressed willingness on the part of the petitioner to deposit a sum of Rs.50 lakhs within a period of two weeks. It is on the strength of such assurance that a prayer has been raised to stall the possession proceedings.

We find such prayer to be utterly frivolous. The order passed by the District Magistrate way back in the year 2019 at Annexure P-3 mentioned an outstanding amount of Rs.89 lakhs approximately.

The recovery proceedings cannot be stalled on a mere assurance to pay money in the future. We do not find any merit in the instant writ petition.

Writ petition accordingly is dismissed.

(TEJINDER SINGH DHINDSA)
JUDGE

(SANJIV BERRY)
JUDGE

02.02.2023
harjeet

(i) Whether speaking/reasoned?	Yes/No
(ii) Whether reportable?	Yes/No