

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

CWP-2290-2023 (O&M)

Date of decision:06.02.2023

AU Small Finance Bank Ltd.

... Petitioner

Vs.

District Magistrate, Hoshiarpur and others

... Respondents

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

Present:- Ms. Deepika Mittal, Advocate for the petitioner.

Mr. H.S. Sullar, Sr. DAG, Punjab.

TEJINDER SINGH DHINDSA, J. (ORAL).

Instant petition is at the hands of the creditor/petitioner bank seeking a mandamus for issuance of directions to the District Magistrate, Hoshiarpur, to take a final decision on an application filed under Section 14 of the SARFAESI Act titled as **AU Small Finance Bank Ltd. Vs. P.S. Handicraft.**

Counsel would submit that the application under Section 14 was filed on 20.06.2022 and the same is not being decided and to the contrary repeated notices are being issued to the borrower whereas as per settled law there is no such obligation to afford a hearing to a defaulter.

Notice of motion confined to respondents No.1 to 3.

Mr. H.S. Sullar, Sr. DAG, Punjab, accepts notice.

In the light of the short prayer raised in the petition we are of the view that there would be no need to file a written response to the writ petition.

In view of the above and without even ascertaining the

correctness of the averments made in the petition and without expressing any opinion on the merits, we dispose of the writ petition with a direction to first respondent i.e.the District Magistrate, Hoshiarpur, to take up the application dated 20.06.2022 filed by the petitioner-bank under Section 14 of the SARFAESI Act and to decide the same in accordance with law expeditiously and in any case within a period of two months from today.

Writ petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

(SANJIV BERRY)
JUDGE

06.02.2023
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Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No