

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.118

CWP-2997-2023

Date of decision: 30.05.2023

Vinod Kumar and others

....Petitioners

Versus

The Authorized Officers and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL
HON'BLE MR. JUSTICE HARPREET SINGH BRAR**

Present: Mr. Vishal Aggarwal, Advocate, for the petitioners.

Mr. Shekhar Verma, Advocate, for the respondent-Corporation.

Mr. Satyaveer Singh, Advocate, for respondent No.4.

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DEEPAK SIBAL, J. (Oral)

1. Through the present petition, the petitioners seek to set aside the demand notice dated 04.05.2021 issued by the Housing Development Finance Corporation Limited (for short – the Corporation). Also under challenge is the order dated 06.06.2022 passed by the District Magistrate, Karnal and the sale notice dated 28.01.2023.

2. Learned counsel for the parties are in agreement that by way of an *inter se* bid held in this Court, the property mortgaged by the petitioners has been sold to one Pooja Sharma wife of Rajiv Sharma, resident of H.No.16/432, Butta Singh Colony Karnal - 132001 (for short – the auction purchaser) and that under the orders of this Court the auction purchaser has deposited Rs.2 crores with the Registrar General of this Court which includes Rs.1,98,00,000/- as the sale price and Rs.2 lakhs towards TDS.

3. In the light of the afore development, learned counsel for the petitioners does not press the present petition

4. Dismissed as not pressed.

5. The amount of Rs.1,98,00,000/- lying deposited with the Registrar General of this Court be released to the respondent-Corporation and Rs.2 lacs deposited towards the TDS be released to the auction purchaser. Such payments be released in the form of Bank drafts.

6. After having received the money as above, the respondent-Corporation shall issue a sale letter in favour of the auction purchaser as also hand over to her the possession of the property purchased by her.
7. It is clarified that the disposal of the instant petition shall not prejudice the rights of the respondent-Corporation to raise any claim(s) that may still remain qua the petitioners, in accordance with law.

(DEEPAK SIBAL)
JUDGE

May 30, 2023
Jyoti 1

(HARPREET SINGH BRAR)
JUDGE

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