

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

CWP-3504-2023 (O&M)
Date of decision: 21.02.2023

Mrs. Asha Devi and others

.....Petitioners.

vs.

The District Magistrate, Faridabad and others

.....Respondents.

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

Present: - Mr. Johan Kumar, Advocate, for the petitioners.

Mr. Vineet Sehgal, Advocate, for respondent No. 3.

TEJINDER SINGH DHINDSA, J. (ORAL)

Challenge in the instant petition is to the order dated 06.12.2022 (Annexure P-2) passed by the District Magistrate, Faridabad, pursuant to the application filed under Section 14 of the SARFAESI Act, 2002, having been filed by the creditor/IIFL Home Finance Limited, respondent No. 3. Further challenge is to the subsequent possession notice issued under the provisions of the Security Interests (Enforcement) Rules, 2002, dated 30.01.2023 (Annexure P-3).

Since an advance copy of the petition already stood served upon the respondent-creditor, Mr. Vineet Sehgal, Advocate, has entered appearance and informs the Court that the requisite deposits/EMIs have already been made by the petitioner and consequently the loan account stands regularized.

Counsel for the respondent-creditor further takes a categorical stand that no steps as such are now being taken to take over the physical possession of the mortgaged property.

In the light of such factual premise, nothing survives for adjudication in the instant writ petition and the same is disposed of as not pressed.

Needless to mention that in the eventuality of any future default, it will always be open for the respondent creditor-IIFL Home Finance Company to proceed in accordance with law.

(TEJINDER SINGH DHINDSA)
JUDGE

(SANJIV BERRY)
JUDGE

21.02.2023

preeti

whether speaking/non speaking

yes/no

whether reportable/non reportable

yes/no