

205 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-5681-2021

Date of Decision: July 14, 2023

DALVINDER KAUR

..... Petitioner

Versus

DEWAN HOUSING FINANCE LTD AND ANR

..... Respondents

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

Present: Mr. Om Malhan, Advocate for
Mr. M.S. Sachdev, Advocate for the petitioner.

Mr. Satnam Singh, Advocate for
Mr. Harsh Chopra, Advocate for the respondents.

LISA GILL, J.

1. Learned counsel for the petitioner submits that housing loan of ₹3 crores had been availed of by the petitioner and her husband on 30.06.2015. Proceedings under Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 had been initiated against the petitioner and her husband, who had failed to maintain financial discipline pursuant to taking housing loan of ₹3 crores from the respondent Bank in June, 2015. Petitioner's husband unfortunately passed away on 13.01.2019.

2. This writ petition has been filed by the petitioner seeking permission to sell the charged property in order to settle the account. During the pendency of writ petition, proposal for One Time Settlement (OTS) has been put forth to the respondent – company.

3. Learned counsel for the respondents submits that the matter has been settled between the parties, therefore, this writ petition is rendered infructuous in terms of settlement.

4. Learned counsel for the petitioner submits that he does not have any specific information in this regard though it is admitted that OTS proposal submitted by the petitioner was accepted by the respondent – company.

5. In view thereof, this writ petition is disposed of as infructuous. In case, incorrect facts have been brought before us, liberty is afforded to the petitioner to move appropriate application in this writ petition within four weeks.

(LISA GILL)
JUDGE

(RITU TAGORE)
JUDGE

July 14, 2023

rts

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