

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

CWP-4050-2023(O&M)

Date of Decision:28.02.2023

Bank of India

..... Petitioner

Versus

**District Magistrate, Ludhiana
and others**

..... Respondents

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

Present: Mr. K.K.Goel, Advocate,
Ms.Ashmita Goel, Advocate and
Mr.Ankush Bharti, Advocate
for the petitioner.

Mr.Arjun Sheoran, DAG, Punjab.

TEJINDER SINGH DHINDSA, J.

The creditor-Bank of India has filed the instant petition seeking a mandamus directing the official respondents to implement the order dated 29.12.2020 (Annexure P-3) passed by the Additional District Magistrate, Ludhiana under Section 14 of the SARFAESI Act, 2002.

Counsel for the petitioner would contend that inspite of the order having been passed in the year 2020 and the official respondents having been approached repeatedly, physical possession of the mortgaged property has till date not been delivered.

Notice of motion.

Mr.Arjun Sheoran, learned DAG, Punjab accepts notice on behalf of respondents No. 1 to 3.

In view of the limited prayer raised in the petition, we are of the view that there would be no need to elicit a written response to the writ petition.

We dispose of the instant writ petition with a direction to the respondent authorities/competent authority that subject to there being no legal impediment, the order dated 29.12.2020 (Annexure P-3) be executed and physical possession of the mortgaged property be delivered to the creditor-bank within a period of eight weeks from today.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

(SANJIV BERRY)
JUDGE

28.02.2023
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Whether speaking/non speaking	Yes/No
Whether reportable/non reportable	Yes/No