

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(207)

CWP-6506-2020

Decided on : 01.05.2023

Neha Gill and another

.....Petitioner(s)

Versus

Union of India and others

.....Respondent(s)

**CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA
HON'BLE MS.JUSTICE HARPREET KAUR JEEWAN**

Present: Mr. Ajay Kumar, Advocate for
Mr. Rishu Mahajan, Advocate for the petitioner (s).

G.S. Sandhawalia, J. (Oral)

Challenge in the present writ petition filed under Articles 226/227 of the Constitution of India is to the securitization proceedings and for handing back the possession of the property, which was sealed by the Bank on 03.03.2020.

2. The following order was passed on 13.03.2020:-

“Notice of motion, returnable on 19.05.2020.

In the meanwhile, the parties are directed to maintain status quo with regard to mortgaged property subject to the petitioners depositing a sum of Rupees Five lacs with the respondent-Bank within a period of three weeks from today.

It is made clear that in case, the amount is not deposited within the prescribed period aforesaid, the interim order would cease to operate.”

3. A perusal of the office report would go on to show that for the last 3 years even process fee has not been filed. Counsel could not even point out that whether the amount has been deposited or not as directed by this Court.

4. Keeping in view the above, the present writ petition is dismissed. All interim orders stand duly vacated. However, liberty is given to the petitioner to approach the Tribunal under Section 17 (2) & (3) of the Securitization and Re-construction of Financial Assets and Enforcement of Security Interest Act, 2002 for the necessary relief, if so desires.

(G.S. SANDHAWALIA)
JUDGE

(HARPREET KAUR JEEWAN)
JUDGE

01.05.2023
Naveen

Whether speaking/reasoned :	✓Yes	No
Whether Reportable :	Yes	✓No