

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

124

CWP No.5867 of 2023

Date of Decision: 18.05.2023

Salochana and Anr.

..... Petitioners

Versus

State of Hayrana and Ors.

..... Respondents

**CORAM: HON'BLE MR. JUSTICE G.S. SANDHAWALIA
HON'BLE MR. JUSTICE GURBIR SINGH**

Present: Mr. Vinod Bhardwaj, Advocate for the petitioners.

G.S. SANDHAWALIA, J (ORAL)

On 22.03.2023, this Court had passed the following order:-

'Contentends that Sections 13(2) & 13(4) notices of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 have not been served and at the last moment, on 10.02.2023, intimation was given that possession is to be taken in view of the order of the District Magistrate, Kaithal dated 24.12.2021 (Annexure P-1).

A perusal of the said order would go on to show that recovery of Rs.16,27,412/- is outstanding. Accordingly, let a demand draft of Rs.4,00,000/- in favour of the respondent-Bank be produced on the next date of hearing, to show bona fides of the petitioners.

List on 28.03.2023.'

The said order has not been complied with inspite of two opportunities having been granted. Today, draft of only a sum of Rs.2 lakh is being produced.

Keeping in view the alternate remedy available to the petitioners and noticing that the petitioners have not grabbed the lifeline offered by this Court, we do not feel it a fit case for us to further indulge to give more opportunities for this purpose in the light of law laid down in '*M/s South Indian Bank Limited and Ors Vs. Naveen Mathew Philip and Anr.,2023(2) R.C.R. (Civil) 771.*'

Resultantly, the present writ petition is disposed of with liberty to approach the Tribunal in view of the settled principle of law.

(G.S. SANDHAWALIA)
JUDGE

(GURBIR SINGH)
JUDGE

18.05.2023

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Whether speaking/reasoned : YES/NO
Whether reportable : YES/NO