

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(273)

CWP-8698-2022 (O&M)
Decided on : 21.03.2023

Bhupinder Singh and another

.....Petitioner(s)

Versus

Canara Bank

.....Respondent(s)

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

Present: Ms. Aarti Sharma, Advocate for
Mr. Shalender Mohan, Advocate for the petitioner (s).

Mr. Amit Rishi, Advocate for the respondent-Bank.

G.S. Sandhawalia, J. (Oral)

The challenge is to set aside the notice under Section 13 (2) dated 10.04.2021 (Annexure P-1) of the Securitization and Re-construction of Financial Assets and Enforcement of Security Interest Act, 2002 and Symbolic Possession Notice (for immovable property) under Rule 8 (1) of Security Interest (Enforcement) Rule, 2002 (Annexure P-2).

Counsel for the respondent-Bank submits that earlier order dated 04.08.2022 has not been complied with, whereby a sum of ₹10 lakhs was to be paid in two installments. The sale was to be held, but not confirmed till the next date of hearing. The default of payment was to result in vacation of the order. However, the sale has not fructified and even the amount has not been deposited. Since a conditional order has not been complied with, we are of the considered opinion that the writ

petition cannot be allowed to be continued, once interim relief had been

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taken from this Court and amount was to be paid, which has not been done.

Resultantly, the present writ petition is dismissed.

(G.S. SANDHAWALIA)
JUDGE

(HARPREET KAUR JEEWAN)
JUDGE

21.03.2023
Naveen

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