

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

207

CWP-9786-2022

Date of Decision: 25.09.2023

NIRMAL GUPTA

... Petitioner

VERSUS

STATE OF BANK OF INDIA AND ANR

....Respondents

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

Present: None for the petitioner.

Mr. Roopak Bansal, Advocate
for respondent No.1-SBI.

Mr. Sandeep Jain, Additional A.G. Punjab.

LISA GILL, J.(Oral)

1. Prayer in this writ petition is for quashing notice dated 22.12.2021 (Annexure P-3) issued by respondent No.1 under Section 13(4) of Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act (SARFAESI Act), 2002.

2. Learned counsel for the respondent-Bank submits that this writ petition is rendered infructuous as impugned notice(s) dated 20.01.2021 and 22.12.2021 under Section 13(2) and 13(4) of SARFAESI Act respectively besides declaration of petitioner's account Non-Performing Asset (NPA) has been withdrawn without prejudice to rights of the bank to declare the petitioner's account NPA afresh and proceed for recovery of dues in accordance with law in case of requirement. The petitioner, it is submitted was duly intimated in this regard vide communication dated 21.09.2023. Photocopy of the said communication dated 21.09.2023, is taken on record, subject to just exceptions.

3. Perusal of the file reveals that none had appeared on behalf of petitioners on the last date of hearing when this writ petition was taken up for hearing. Today again there is no representation on behalf of the petitioner.

4. Be that as it may, we do not find any ground for continuance of the present proceedings in view of the categorical statement made by learned counsel for the respondent. Writ petition is accordingly disposed of as infructuous.

5. Liberty is afforded to the petitioner to file appropriate application within four weeks in case any incorrect fact has been placed before us.

(LISA GILL)
JUDGE

(RITU TAGORE)
JUDGE

25.09.2023

Rimpal

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