

Neutral Citation No. 2023:PHHC:075304-DB
**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

(130)

CWP-7147-2023

Decided on :24.05.2023

M/s Rajendra Enterprises and others

.....Petitioner(s)

Versus

State of Haryana and others

.....Respondent(s)

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

Present: None for the petitioner (s).

Mr. Yuvraj Shandilya, AAG, Haryana.

Ms. Harmanjeet Kaur, Advocate for
Mr. Harsh Chopra, Advocate for respondent No.3.

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 including the possession notice (Annexure P-10) whereby possession of the secured property is sought to be taken by the Financial Institution.

2. On 11.04.2023 the following order was passed:-

“Counsel prays for time to produce a demand draft of Rs.5 lakhs in favour of the respondent-Bank, to show the bonafides of the petitioners.

List on 17.04.2023”

3. Thereafter, the matter was adjourned on 17.04.2023. On 24.04.2023 the following order was passed:-

“The demand draft of Rs.5,00,000/- has not been produced, for which a usual excuse has been held out.

Counsel for the financial institution very fairly concedes that the account of the petitioner can be regularized if a sum of Rs.6.70 lakhs is paid within a fixed time frame since apparently the outstandings are Rs.23,00,755/- as on 23.04.2022.

Counsel for the petitioners prays for time.
Adjourned to 03.05.2023.

4. The matter was again adjourned on 03.05.2023. Today, the demand draft has not been produced as per the undertaking given. In such circumstances, since the petitioners are not willing to comply with the order, we have no option but to dismiss the present writ petition.

5. Accordingly, the present writ petition is dismissed for want of prosecution. Liberty is given to the petitioners to approach the Tribunal in accordance with law.

(G.S. SANDHAWALIA)
JUDGE

(HARPREET KAUR JEEWAN)
JUDGE

24.05.2023
Naveen

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