

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-7705-2023

DATE OF DECISION: 20.04.2023

M/S CHAUDHARY TRADING COMPANY AND ANOTHER

.....PETITIONERS

Vs.

STATE BANK OF INDIA

.....RESPONDENT

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

Present: Mr. Arihant Jain, Advocate,
for the petitioners.

Mr. Chandeeep Singh, Advocate,
for the respondent.

Mr. Arun Beniwal, D.A.G., Haryana,

G.S.SANDHAWALIA, J. (ORAL)

1. A perusal of the paper-book would go on to show that possession notice for an amount of ₹42,11,585.61/- was issued on 06.06.2022 (Annexure P-4). The properties were stated to be auctioned on 22.02.2023

2. It is conceded by counsel for the petitioners that possession has also been taken and counsel for the Bank submits that the sale certificate has also been issued on 15.03.2021 in favour of Sh. Yashveer Singh son of Balveer Singh, for ₹63,80,000/-.

3. Counsel for the Bank has pointed out that as per the notice dated 07.03.2023 (Annexure P-6), the household goods and inventory have not been removed by the petitioners and notice has been issued to the

petitioners.

4. It is the case of the petitioners that the details of the auction have not been supplied to them.

5. Keeping in view the fact that there is an alternative and efficacious remedy available under Section 17 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, to the sale which has taken place, challenge can be raised only after impleading the auction purchaser.

6. The petitioners is accordingly relegated to the said remedy.

7. However, directions are given that the Bank through its authorized representative in the presence of the Tehsildar, Hodal, District Palwal, shall prepare an inventory of the house articles on 01.05.2023 at 10:00 a.m. and handed them over to the petitioners, thereafter.

8. The petitioners shall also come present to the said premises on the aforesaid date and time and at the same point of time, the Bank shall also give all the details of the proceedings which have taken place, so that the petitioners can challenge them before the appropriate Forum.

9. The writ petition is accordingly disposed of with the aforesaid directions.

(G.S. SANDHAWALIA)
JUDGE

April 20, 2023
nitin

(HARPREET KAUR JEEWAN)
JUDGE

Whether Speaking	Yes
Whether Reportable	No