

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

111

CWP-8545-2023(O&M)
Date of Decision: 31.08.2023

GURSEWAK SINGH

... Petitioner

VERSUS

DEPUTY COMMISSIONER CUM DISTRICT
MAGISTRATE AND OTHERS

....Respondents

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

Present: None for the petitioner.

Mr. Sumit Batra, Advocate
for respondent No.2.

LISA GILL, J.(Oral)

1. Prayer in this writ petition is for quashing of impugned order dated 11.04.2023 (Annexure P-9) passed under Section 14 of Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act (SARFAESI Act), 2002 by respondent No.1.

2. Perusal of the file reveals that this writ petition had been adjourned on 10.05.2023 to enable learned counsel for the petitioner to place on record notices issued under section 13(2) and 13(4) of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act (SARFAESI Act), 2002. Thereafter, none had appeared on behalf of the petitioner on the last two occasions in this writ petition neither have the notices under Section 13(2) and 13(4) of SARFAESI Act been placed on record.

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3. Though notice of motion has not been issued, Mr. Sumit Batra advocate appears on behalf of respondent No.2 today and files his Power of attorney, which is taken on record, subject to just exceptions.

4. Be that as it may, apart from the fact an efficacious remedy for challenging the proceedings under the SARFAESI Act is available to the petitioner, it is to be noticed that none has been appearing on behalf of the petitioner on the last two occasions when this petition was taken up for hearing. Today again there is no representation on behalf of the petitioner. It appears that petitioner is not interested in pursuing the matter any longer.

5. Writ petition is accordingly dismissed in default and for non prosecution.

(LISA GILL)
JUDGE

(RITU TAGORE)
JUDGE

31.08.2023
Rimpal

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