

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

112

CWP-8490-2023

Date of Decision: 22.08.2023

REKHA RANI AND ANR

... Petitioners

VERSUS

STATE BANK OF INDIA AND OTHERS

....Respondents

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

Present: Mr. Parvesh K Banwal, Advocate
for the petitioners.

Mr. Gaurav Goel, Advocate
for the respondent-Bank.

LISA GILL, J.(Oral)

1. Prayer in this writ petition is for quashing notices dated 02.02.2023 and 21.03.2023 (Annexures P-3, P-5 and P-6) and to return/hand over the possession of the flat to the petitioners as the proceedings of possession by the respondent-Bank are illegal.

2. Learned counsel for the respondent-Bank on instructions from Mr.Charles Martin, Chief Manager, SBI submits that this writ petition is rendered infructuous as account of the petitioners has been regularized though the respondent-Bank would be at liberty to initiate proceedings under the SARFAESI Act in case there is again a default on the part of the petitioners.

3. At this stage, learned counsel for the petitioners points out that physical possession of the property in question i.e. a residential flat has not been handed back to the petitioners post regularization of their account.

4. Keeping in view the facts and circumstances, this writ petition is disposed of with a direction to the respondent-Bank to hand over physical possession of the flat in question as admittedly the petitioners account has been regularized. Needful be done within a period of one week from today.

(LISA GILL)
JUDGE

(RITU TAGORE)
JUDGE

22.08.2023
Rimpal

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