

CWP No.13574 of 2023

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.13574 of 2023

Date of Decision:19.06.2023.

Inderpreet Singh and another

.....Petitioners

Versus

IIFL Home Finance Ltd. and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Vikas Bali, Advocate
for the petitioners.

Mr. Ankit Kaushal, Advocate
for Mr. Vineet Sehgal, Advocate
for respondents no.1 and 2.

PANKAJ JAIN J. (ORAL)

1. Prayer in this petition is for quashing of ex parte impugned order dated 23.02.2023 (Annexure P-5), passed by respondent no.4 on the application filed by respondents no.1 and 2 under Section 14 of the SARFAESI Act, 2002, for taking physical possession of the secured asset-only residential house of the petitioner.
2. Notice of motion.
3. Mr. Ankit Kaushal, Advocate, for Mr. Vineet Sehgal, Advocate, accepts notice on behalf of respondents no.1 and 2. Power of attorney filed on behalf of respondents no.1 and 2 in Court today is taken on record subject to just exceptions.
4. Learned counsel for respondents no.1 and 2 admits that the offer made by the petitioner seeking one time settlement of the loan account is pending with respondent-Company. Learned counsel submits that the same shall be

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decided prior to taking possession of the property by passing a speaking order and the copy thereof shall be supplied forthwith.

5. In view of the statement made by learned counsel representing respondents no.1 and 2, present writ petition is disposed of with the direction to respondents to take decision on the request made by the petitioner for one time settlement prior to taking possession of the property.

(PANKAJ JAIN)
JUDGE

June 19, 2023
Rekha

(VIKRAM AGGARWAL)
JUDGE

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