

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

**CWP-15332-2017 (O&M)
Date of Decision: 05.01.2023**

SECURITIES & EXCHANGE BOARD OF INDIA

...Petitioner

Vs.

DISTRICT COLLECTOR GURUGRAM & ORS

...Respondents

**CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA
HON'BLE MR. JUSTICE SANJIV BERRY**

Present: Mr. Manish Jain, Advocate and
Mr. Mayur Kanwar, Advocate
for the petitioner.

Mr. S.S. Pannu, DAG, Haryana.

Mr. Arora Vishwas Kumar, Advocate
for respondent No.2.

Mr. Saurav Khurana, Advocate
for respondent No.3.

TEJINDER SINGH DHINDSA, J. (Oral)

CM No. 31 of 2023

The application is allowed as prayed for.

Accompanying copy of the order dated 23.12.2022 passed by the
learned Civil Judge (Junior Division), Gurugram is taken on record as
Annexure A-1.

Application disposed of.

Main case

Securities and Exchange Board of India had filed the instant writ petition
in the year 2017 assailing a notice dated 31.05.2017 (Annexure P-1) issued by the
District Collector, Gurgaon as regards auction of certain property of Pan Card Club
i.e. 2nd respondent.

During the Course of hearing today, it has gone un-controverted that the property in question *ad* measuring 3305 sq. yards is situated in Gopal Nagar Colony, Gurugram. 3rd respondent i.e. City Mark Hotels Pvt. Ltd. instituted a civil suit in March 2015 titled as M/s City Mark Hotels Pvt. Ltd. Vs. M/s Pan Card Clubs Limited seeking declaration/cancellation of sale deed dated 18.02.2014 and for a decree of recovery of Rs. 33,82,12,500/- and such suit was decreed vide judgment and decree dated 03.11.2020.

Mr. Manish Jain, learned counsel representing the SEBI would concede that thereafter an application for impleadment had been filed under Order 1 Rule 10 CPC insofar as the suit was concerned and such application also stands dismissed vide order dated 23.12.2022, passed by the competent Court. Copy of the order dated 23.12.2022 has been taken on record as Annexure A-1.

In the light of such subsequent development, nothing would survive for adjudication in the instant writ petition and the same is accordingly disposed of.

Needless to observe that it would always be open for SEBI to take recourse to the remedy as may be available in accordance with law.

Since the main case has been decided, pending application(s), if any, shall also stand disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

(SANJIV BERRY)
JUDGE

05.01.2023

kv

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